LAND USE APPLICATION

Application Type: Subdivision Modification

APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

☐ Applicant Name: Karl Ivanov — Daytime Phone:

Mailing Address: 9550 SE Clackamas Road — Fax Number:

City/State: Clackamas, Oregon — Zip: 97015 — Email:

■ Agent: Brandie Dalton, Land-Use Planner — Daytime Phone: 503-363-9227

Mailing Address: 1155 13th St. SE — Fax Number:

City/State: Salem, Oregon — Zip: 97302 — Email:

PROPERTY INFORMATION

4400-5200 Block of Kale Road (SUB07-13A)	148 Acres	
(Street Address or Location of Subject Property)	(Total Size of Subject Property)	(Assessor Tax Lot Numbers)
Vacant	RS/RM1/RM2	'Res' and 'RM'
(Existing Use, Structures, and/or Other Improvements On Site)	(Zoning)	(Comp Plan Designation)

PROPOSED PROJECT INFORMATION

Modification to SUB07-13A approval

(Describe the Proposed Use or Development of Subject Property)

NEIGHBORHOOD ASSOCIATION: **CONTACTED?** ☐ Yes ■ No

The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.

(Describe Contact with the Affected Neighborhood Association) — Date Contacted

SALEM – KEIZER TRANSIT CONTACTED? ☐ Yes ■ No

(Describe Contact with Salem – Keizer Transit) — Date Contacted

AUTHORIZATION BY PROPERTY OWNER(s) / APPLICANT

If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.

(Property owners and contract purchasers are required to authorize the filing of this application and must sign below)

- All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.
- I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property:

(Signature)	KARL IVANOV (Print Name)	9.14.18 (Date)

(Address - Include Zip)

(Signature)	(Print Name)	(Date)

(Address - Include Zip)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY

Received By: Sally Long — Date: 7.26.19 — Receipt No. 19-116730-LD

City of Salem - Permit Application Center
Planning Information Counter
555 Liberty St. SE / Room 320
Salem, OR 97301-3503
Phone: 503-588-6256 ext.7427
Fax: 503-588-6005

Planning Pre-Application Conference Waiver

CITY OF Salem AT YOUR SERVICE
Web: www.cityofsalem.net

❶ *Please complete the following contact information:*

Applicant: I & E Construction **Mailing Address:** 9550 SE Clackamas Rd Clackamas, OR 97015

Name: Karl Ivanov

Company:

Phone: 503-363-9227

Fax: **E-Mail:**

❷ *Please complete the following property information:*

Site Address(es): Kale Rd

Site Size:

Existing Use & Structures: Vacant

❸ *Please complete the following proposed development information:*

Type of Land Use Application Pre-Application Conference Waiver is Requested for: Modification

Brief Description of Proposed Development on the Site: Modify SUB 07-13A

❹ ***Please attach a written statement explaining why a pre-application conference waiver is requested***

The Planning Administrator may grant pre-application conference waivers in cases where the application is relatively simple and good cause is shown by the applicant to support the waiver.

❺ *Please sign and date below:*

SIGNATURE: Brandi Dalton DATE: 3-21-19

FOR PLANNING DIVISION USE ONLY - DO NOT WRITE BELOW

Date Received: AMANDA No. Staff Initial:

The requested Pre-Application Conference Waiver is:

☐ **Approved. The Planning Administrator finds that the application is relatively simple, and the applicant has shown good cause to waive the pre-application conference in this case. The pre-application conference is hereby waived pursuant to SRC 300.310(b).**

☐ **Denied *(See Attached Reasons)***

Planning Administrator Signature: **Date:**

A pre-application conference for the proposed Validation of Unit of Land is not necessary since subdivision approval has already been granted for the subject property and surrounding tax lots.

CITY OF Salem AT YOUR SERVICE

LAND USE APPLICATION

Application Type: Subdivision Modification

APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

☐ Applicant Name: Karl Ivanov — Daytime Phone:

Mailing Address: 9550 SE Clackamas Road — Fax Number:

City/State: Clackamas, Oregon — Zip: 97015 — Email:

■ Agent: Brandie Dalton, Land-Use Planner — Daytime Phone: 503-363-9227

Mailing Address: 1155 13th St. SE — Fax Number:

City/State: Salem, Oregon — Zip: 97302 — Email:

PROPERTY INFORMATION

4400-5200 Block of Kale Road (SUB07-13A)	148 Acres	
(Street Address or Location of Subject Property)	(Total Size of Subject Property)	(Assessor Tax Lot Numbers)
Vacant	RS/RM1/RM2	'Res' and 'RM'
(Existing Use, Structures, and/or Other Improvements On Site)	(Zoning)	(Comp Plan Designation)

PROPOSED PROJECT INFORMATION

Modification to SUB07-13A approval

(Describe the Proposed Use or Development of Subject Property)

NEIGHBORHOOD ASSOCIATION: _____ **CONTACTED?** ☐ Yes ■ No

The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.

(Describe Contact with the Affected Neighborhood Association) — Date Contacted

SALEM – KEIZER TRANSIT CONTACTED? ☐ Yes ■ No

(Describe Contact with Salem – Keizer Transit) — Date Contacted

AUTHORIZATION BY PROPERTY OWNER(s) / APPLICANT

If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.

(Property owners and contract purchasers are required to authorize the filing of this application and must sign below)

❶ All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.

❷ I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.

❸ I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property: _____

(Signature)	KARL IVANOV (Print Name)	9.14.18 (Date)

(Address - Include Zip)

(Signature)	(Print Name)	(Date)

(Address - Include Zip)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY

Received By: Date: Receipt No.

RECORDING REQUESTED BY:

TICOR TITLE™ Company of Oregon

315 Commercial St SE, Ste 150
Salem, OR 97301

GRANTOR'S NAME:
Granada Land Co., L.L.C.

GRANTEE'S NAME:
Northstar Communities LLC

AFTER RECORDING RETURN TO:
Order No.: 471817061031-DS
Northstar Communities LLC
9550 SE Clackamas Road
Clackamas, OR 97015

SEND TAX STATEMENTS TO:
Northstar Communities LLC
9550 SE Clackamas Road
Clackamas, OR 97015

REEL 3978 PAGE 175
MARION COUNTY
BILL BURGESS, COUNTY CLERK
08-04-2017 02:47 pm.
Control Number 470318 $
66.00
Instrument 2017 00040742

APN: R22030
R19262
R327249
R22089
R22031
R22029
R22028
Map: 062W32C 00200
062W32C 00700
062W32C 00701
062W32C 00800
062W32C 00900
062W32C 0100
062W32D 01100
4985 Kale St NE, Salem, OR 97305

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Granada Land Co., L.L.C., an Oregon limited liability company, Grantor, conveys and warrants to **Northstar Communities LLC, an Oregon limited liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Parcel 1:

Beginning at a point on the North boundary line of the W. B. Stephens Donation Land Claim No. 48 marking the Northeast corner of Parcel 1 as described in Deed recorded in Reel 339, Page 623, Deed Records which point bears South 89° 09' 46" West 1281.72 feet from the Northeast corner of said Stephens Claim and being situated in the Southeast quarter of Section 32, Township 6 South, Range 2 West, Willamette Meridian in Marion County, Oregon; thence South 00° 11' 57" East along the East line of said parcel 1, a distance of 1346.75 feet to an iron rod marking the true point of beginning; thence South 00° 11' 57" East along the East line of said Parcel I, a distance of 1354.61 feet to a point on the North line of the John Martin Donation Land Claim No. 71, said point also being in the center of Kale Street NE; thence South 89° 21' 20" West along said Claim line, a distance of 640.84 feet to the Southwest corner of said Parcel 1; thence North 00° 11' 57" West along the West line of said parcel a distance of 1352.45 feet to an iron rod; thence North 89° 09' 46" East parallel with the North line of said Stephens Claim, a distance of 640.86 feet to the true point of beginning.

EXCEPTING THEREFOM:

That portion conveyed to Ernest L. Zielinski and Lola R. Zielinski, Trustees of the Ernest L. and Lola R. Zielinski Revocable Trust dated January 11, 2002 in Reel 2843, Page 49, Marion County Deed Records, more particularly described as follows:

Beginning at the Northeast corner of Parcel II as described in Reel 1745, Page 547, Deed Records for Marion County, Oregon which point is recorded as being 1281.72 feet South 89° 09' 46" West and 1346.75 feet South 00° 11' 57" East from the Northeast corner of the W.B. Stephen Donation Land Claim No. 48 and being situated in the Southeast Quarter of Section 32, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence South 00° 11' 57" East along the East line of said Parcel II, a distance of 10.21 feet; thence South 89° 00' 54" West 1281.76 feet to a point on the West line of Parcel I as described in said Reel 1745, Page 547; thence North 00° 11' 57" West along said West line a distance of 13.51 feet to the Northwest corner of said Parcel 1; thence North 89° 09' 46" East along the North line of said Parcel I and Parcel II, a distance of 1281.72 feet to the point of beginning.

Parcel 2:

Beginning at an iron pipe which is 1922.58 feet South 89° 06' West along the North line of the W. B. Stephens Donation Land Claim, Notification No. 236, Townships 6 and 7 South Range 2 West of the Willamette Meridian, and South 0° 08' East parallel with the East line of said Donation Land Claim 1346.75 feet from the Northeast corner of said Stephens Donation Land Claim; thence South 0° 08' East 1346.75 feet to an iron pipe on the South line of said Donation Land Claim; thence South 89° 30' West along the South line of said Donation Land Claim 640.86 feet to an iron pipe; thence North 0° 08' West 1342.00 feet to an iron pipe; thence North 89° 06' East 640.86 feet to an iron pipe at the place of beginning.

EXCEPTING THEREFOM:

That portion conveyed to Ernest L. Zielinski and Lola R. Zielinski, Trustees of the Ernest L. and Lola R. Zielinski Revocable Trust dated January 11, 2002 in Reel 2843, Page 49, Marion County Deed Records, more particularly described as follows:

Beginning at the Northeast corner of Parcel II as described in Reel 1745, Page 547, Deed Records for Marion County, Oregon which point is recorded as being 1281.72 feet South 89° 09' 46" West and 1346.75 feet South 00° 11' 57" East from the Northeast corner of the W.B. Stephen Donation Land Claim No. 48 and being situated in the Southeast Quarter of Section 32, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence South 00° 11' 57" East along the East line of said Parcel II, a distance of 10.21 feet; thence South 89° 00' 54" West 1281.76 feet to a point on the West line of Parcel I as described in said Reel 1745, Page 547; thence North 00° 11' 57" West along said West line a distance of 13.51 feet to the Northwest corner of said Parcel 1; thence North 89° 09' 46" East along the North line of said Parcel I and Parcel II, a distance of 1281.72 feet to the point of beginning.

ALSO SAVE AND EXCEPT:

That portion conveyed to the City of Salem in instrument recorded October 6, 2000 in Reel 1724, Page 266, Marion County Records, Marion County, Oregon.

ALSO SAVE AND EXCEPT:

That portion conveyed to the City of Salem in instrument recorded November 30, 2001 in Reel 1869, Page 97, Marion County Records, Marion County, Oregon.

Parcel 3:

Beginning at the Northeast corner of a tract of land sold to Fred Collins by deed recorded in Volume 42, Page 476, Marion County Deed Records; which is also on the division line passing through the Donation Land Claim of William S. Stephens and wife, a distance of 20 chains North from the South line of said Donation Land Claim; thence Northerly along said division line .60 chains; thence West at right angles to said division line 7.50 chains; thence Southerly parallel to said division line .60 chains to the Northwest corner of said Collins property; thence Easterly along said North line of said Collins property 7.50 chains to the point of beginning.

Parcel 4:

Commencing at the Southeast corner of the land claim of Mrs. Lydia A. Kelley, the same being deeded by J.O. Jemison and being a part of the Donation Land Claim of W.B. Stephens and wife, certificate no. 2063, Notification No. 236, situated in Township 6 and 7 South of Range 2 West of the Willamette Meridian in Marion County, and State of Oregon, thence North 20.00 chains, thence West 7.50 chains, thence South 20.00 chains, thence East 7.50 chains to the place of beginning. ALSO, beginning at a point on the South line of the Donation Land Claim of W.B. Stephens and wife, in Township 6 and 7 South, Range 2 West of the Willamette Meridian in Marion County, State of Oregon, said beginning point being 76.95 chains West of the Southeast corner of said claim and being also the West corner of the East one-half of said claim as the same was established by the county survey as shown of record in Book 3, at page 265 in the record of surveys for Marion County,Oregon,and running thence North along the East line of the land owned by Fred Collins 20.44 chains to a stone corner, thence East 9.77 chains, thence South 20.44 chains to the South line of the claim, thence West 9.77 chains to the place of beginning.

SAVE AND EXCEPT therefrom all that portion thereof conveyed to the City of Salem by deed recorded July 19, 1993 in Reel 1082, page 143, described as follows:

Beginning at a county monument marking the Northeast corner of the Alfred Stanton Donation Land Claim No. 49 in Township 7 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, thence West along the North line of said claim, a distance of 628.39 feet to the Southwest corner of that tract of land conveyed to Pierre Saucy and Neltje Saucy by deed recorded in Volume 472, page 255, Records for Marion County, Oregon, thence North 0'29'30" West along the West line of said Saucy tract a distance of 30.00 feet, thence East parallel with said claim line, a distance of 628.48 feet, thence North 89'21'31" East parallel with the North line of the John Martin Donation Land Claim No. 71,a distance of 512 feet, more or less, to a point on the East line of said Saucy tract, thence South along the East line of said Saucy tract a distance of 30.00 feet to a point on the North line of said Martin Claim, thence South 89'21'31" West along said claim line,a distance of 512.19 feet to the point of beginning.

Parcel 5:

Beginning at a point on the South line of the Donation Land Claim of W. B. Stephens and wife in Township 6 and 7 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said beginning point being 67.18 chains West of the Southeast corner of said Claim, and being also 9.77 chains East of the Southwest corner of the East half of said Claim, as the same was established by the County Surveyor as shown of record in Book 3, Page 265, in the Record of Surveys for Marion County, Oregon; and running thence North 20.44 chains; thence East 8.71 chains to the West line of the 40 acre tract of land deeded to George Zielinski by Pickens and wife July 29, 1882, by a deed recorded in Volume 28, Page 381, Records of Deeds for Marion County, Oregon; thence South 20.44 chains to the South line of said Claim; thence West 8.79 chains to the place of beginning.

Save and except all that portion of the above described property conveyed to the City of Salem by deed recorded May 16, 1997 in Reel 1393, Page 554, Microfilm Records, Marion County, Oregon.

Parcel 6:

Commencing at a point in the North line of the William B. Stephens and Innocent M. Stephens Donation Land Claim, Notification No. 236, in Townships 6 and 7 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, said point being 48.55 chains West from the Northeast corner of said Donation Land Claim; and running thence South, 41.22 chains to the South line of said Claim; thence West on said South line, 9.71 chains; thence North, 41.22 chains to the North line of said Claim; thence East on said North line, 9.71 chains to the place of beginning, all in Marion County, Oregon.

Parcel 7:

Beginning at a point on the East line of that property deeded to Marie & A. O. McCorkle in Volume 539, Page 507, Deed Records, Marion County, Oregon which is 38.84 chains West from the Northeast corner of the W. B. Stephens Donation Land Claim, Marion County, Oregon and South parallel with the East line of said Claim 1360.26 feet to the true point of beginning; thence South 1,360.26 feet to the South line of said Stephens Donation Land Claim, thence West along the South line of said Claim 640.86 feet to the Southwest corner of the McCorkle tract; thence North along the West line of the McCorkle tract 1,360.26 feet to a point; thence East 640.86 feet to the point of beginning, being a part of said Donation Land Claim in Section 32, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX MILLION AND NO/100 DOLLARS **($6,000,000.00)**. (See ORS 93.030).

Subject to:

1. The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

2. Rights of the public to any portion of the Land lying within the area commonly known as

   roads, streets or highways.

3. An easement created by instrument, including the terms and provisions thereof,

   Dated: March 27, 1952
   Recording Date: April 1, 1952
   Recording No.: Volume 438, Page 325
   In favor of: Portland General Electric Company
   For: Electrical lines, telephone lines
   Affects: Exact location not disclosed

4. An easement created by instrument, including the terms and provisions thereof,

   Dated: June 30, 1954
   Recording Date: July 12, 1954
   Recording No.: Volume 465, Page 129
   In favor of: United States of America
   For: Electric power and transmission lines

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	United States of America
Purpose:	transmission line
Recording Date:	July 14, 1954
Recording No:	Volume 465, Page 216

6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

   Granted to: United States of America
   Purpose: transmission line
   Recording Date: July 19, 1954
   Recording No: Volume 465, Page 357

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

   Granted to: United States of America
   Purpose: Transmission line
   Recording Date: July 20, 1954
   Recording No: Volume 465, Page 402

8. An easement created by instrument, including the terms and provisions thereof,

   Recording Date: August 30, 1954
   Recording No.: Volume 466, Page 727
   In favor of: United States of America
   For: Electric power transmission lines and appurtenances

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

   Granted to: United States of America
   Purpose: Electric power transmission lines and appurtenances
   Recording Date: July 14, 1954
   Recording No: Volume 465, Page 216

10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: United States of America
    Purpose: Electric power transmission lines and appurtenances
    Recording Date: July 19, 1954
    Recording No: Volume 465, Page 357

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: United States of America
    Purpose: transmission line
    Recording Date: July 4, 1954
    Recording No: Volume 465, Page 402
    Affects: Parcel 7

12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: United States of America
    Purpose: Electric power transmission lines and appurtenances
    Recording Date: September 22, 1954
    Recording No: Volume 467, Page 568

13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: City of Salem
    Purpose: Pipeline
    Recording Date: January 4, 1988
    Recording No: Reel 595, Page 16
    Affects: Parcels 3 and 4

14. Temporary Permit, including the terms and provisions thereof,

    Recording Date: September 21, 1971
    Recording No.: Volume 712, Page 353
    Affects: Parcel 5

15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: Portland General Electric Company
    Purpose: Power line
    Recording Date: June 22, 1994
    Recording No: Reel 1174, Page 204
    Affects: Parcel 4

16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

    Granted to: City of Salem
    Purpose: Storm Drain
    Recording Date: June 26, 1996
    Recording No: Reel 1320, Page 270
    Affects: Parcel 5

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of Salem
Purpose:	Street purposes
Recording Date:	April 11, 1997
Recording No:	Reel 1385, Page 250
Affects:	Parcels 4, 5, 6 and 7

18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Marion County
Purpose:	permanent road easement
Recording Date:	June 29, 1998
Recording No:	Reel 1500, Page 153
Affects:	Parcel 6

19. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

    Tax Identification No.: R22030, R19262, R327249, R22089, R22031, R22029, R22028 and M129369

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: August 1, 2017

Granada Land Co., L.L.C.

BY: _____
Michael S. Compton
Manager

State of Oregon
County of Marion

This instrument was acknowledged before me on August 3, 2017 by Michael S. Compton, as Manager of Granada Land Co., L.L.C., on behalf of the limited liability company.

_____
Notary Public - State of Oregon
My Commission Expires: 10/02/2020

OFFICIAL STAMP
CAROL E HERMAN
NOTARY PUBLIC - OREGON
COMMISSION NO. 954863
MY COMMISSION EXPIRES OCTOBER 02, 2020

REEL: 3978 PAGE: 175

August 04, 2017, 02:47 pm.

CONTROL #: 470318

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: $ 66.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

Northstar

Modified Subdivision (SUB 07-13A)

Revised-May 20, 2019

BACKGROUND:

On June 25, 2007, UGA Preliminary Declaration (UGA 07-1) was issued for the subject property (4400-5200 blocks of Kale Road).

The applicant received subdivision (SUB 07-13) approval on September 28, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant amended Subdivision Case No. 07-13 (SUB 07-13A), and received approval on December 18, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant received approval for Tree Conservation Plan (TCP 07-17) on property located within the 4400-5200 blocks of Kale Road.

The subject property is approximately 148 acres in size and located within the 4400-5200 blocks for Kale Road (062W32D/Tax Lots 701 & 1100 and 062W32C/Tax Lots 200, 700, 800, 900, and 1000). The subject properties are zoned RS (Single Family Residential), RM1 (Multi-Family Residentail-1), and RM2 (Multi-Family Residential-2). The subject property is designated as “Single Family Residential” and “Multi-Family Residential” on the Salem Area Comprehensive Plan (SACP) Map.

PROPOSAL:

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

1) **Modify the boundary of Segment D**
   -The boundary of Segment D is being realigned.
   -Number of lots in Segment D are being reduced from 70 lots to 65 lots
2) **Modify the street layout and boundary of Segment E**
   -The street layout in Segment E is being modified
   -The boundary of Segment E is being realigned
3) **Modify the number of lots in Segments A, E, G, and K**
   -Number of lots in Segment A are being reduced from 50 lots to 1 lot
   -Number of lots in Segment E are being reduced from 67 lots to 63 lots
   -Number of lots in Segment G are being reduced from 55 lots to 53 lots
   -Number of lots in Segment K are being reduced from 62 lots to 55 lots
4) **Eliminate Condition No. 7 and Condition No. 8**
5) **Clarify Condition No. 14**

-Revise or clarify Condition No. 14 to say, “Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE”

6) **Revise Condition No. 16**
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) **Revise Condition No. 22**
-Revise Condition No 22 to say, “Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement”

8) **Modify total number of lots in subdivision**
-Original (3 Options) (11 Segments): Proposed Modification (1 Option) (11 Segments):
*Original=729 lots *Proposed=660 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	63	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	−69	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

SITE VICINITY and CHARACTERISTICS:

The subject property is located on Kale Road. The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Marion County UT-5 (Urban Transition); single-family homes, light agriculture
East: Marion County EFU (Exclusive Farm Use), heavy agriculture
South: RS (Single-Family Residential), RZ (Residential Agriculture) and Marion County UT-5; single family homes, vacant land, parks
West: RM2 (Multiple Family Residential) and Marion County UT-20 (Urban Transition); manufactured home park, agricultural uses

EXISTING SITE CONDITIONS:

The subject property is approximately 148 acres in size. The modification does not change or impact trees, wetlands or landslides on the subject property. The modification is only to change the segment lines, lot numbers, street alignments, and conditions of approval as shown on the site plans.

Trees: There are six (6) trees located on the subject property and the applicant has approval to remove one (1) of the trees per TCP Case No. 07-17. The applicant is not modifying the Tree Conservation Plan. Additional trees are not proposed to be removed.

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. Therefore, Lots 471, 480, 509, and 519 can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

ACCESS AND CIRCULATION:

The modification does not change or impact circulation to, from, or within the subdivision.

General Circulation: The modified subdivision will result in the creation of 660 lots, with one (1) preliminary plan option. Vehicular access to the proposed lots will be taken from proposed internal streets. All lots will have access onto Kale Road to the south and Hazel Green Road to the north. Stub streets have been provided along the east and west property lines for future development of surrounding properties. The internal streets will provide safe and efficient access to the lots and to the existing street system, by providing direct access to the site and to Kale Road and Hazel Green Road.

Boundary Streets: There are two streets abutting the subject property, Kale Road to the south, which is designated as a 'minor arterial' street and Hazel Green Road to the north, which is designated as a "parkway" in the Salem Transportation System Plan (TSP). Improvements to these streets will be made as outlined in the UGA 07-1.

Internal Streets: The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets are designed to Public Works street standards (60-foot wide) as shown on the site plans.

Due to the realigned of streets and the addition of a cul-de-sac, the applicant is requesting to modify the internal street layout of Segment D and Segment E.

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1): The proposed modification does not change or impact compliance with the required criteria.

The intent of the subdivision code is providing for orderly development through the application of appropriate rules and regulations. Pursuant to the application of the current enabling statutes, these regulations are those cited in UDC 205.010(d) and UDC 205.015(d). The decision criteria for subdivisions without a concurrent variance under UDC 205.010(d) and UDC 205.015(d) must be found to exist before an affirmative decision may be made for a subdivision application.

The SUB 07-13A was approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with a few changed segment lines. The proposed modification is to modify the following:

1) Modify the boundary of Segment D
-The boundary of Segment D is being realigned.
-Number of lots in Segment D are being reduced from 70 lots to 65 lots

2) Modify the street layout and boundary of Segment E
-The street layout in Segment E is being modified
-The boundary of Segment E is being realigned

3) Modify the number of lots in Segments A, E, G, and K
-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 63 lots
-Number of lots in Segment G are being reduced from 55 lots to 53 lots
-Number of lots in Segment K are being reduced from 62 lots to 55 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

6) Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22
-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision
-Original (3 Options) (11 Segments): *Original=729 lots
Proposed Modification (1 Option) (11 Segments): *Proposed=660 lots

(1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.

Applicant Findings: The proposed lots meet SRC Chapter 205 (Subdivision), Chapter 211 (Single Family Residential) minimum lot size, dimension (in the RS zoned portion), and street frontage standards. A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A. All lots are suitable for the general purpose for which they are intended to be used, such as for the development code permitted uses. The lots are of size and design as not to be detrimental to the public health, safety, or welfare.

The subdivision code, SRC 205, requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot. As stated above, A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A.

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

The modified proposal conforms to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities.

(B) City infrastructure standards.

Applicant Findings: As indicated in the original approval (SUB 07-13 and SUB 07-13A), the lots can be adequately served with water, sanitary sewer and storm drainage facilities. The subdivision can also be served with other utilities appropriate to the nature of the development.

The proposed development is subject to the Conditions of Approval per UGA 07-1. The modification will not impact the proposed utilities.

Additional reviews occur at the time of building permits to assure compliance with the zoning code. Compliance with conditions of approval to satisfy the subdivision ordinance is checked prior to city staff signing the final subdivision plat.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Applicant Findings:

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. Therefore, Lots 471, 480, 509, and 519 can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

(2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

Applicant Findings: The modification is to change the segment lines within SUB 07-13A, as shown on the site plan. The subject properties and adjacent properties will not be affected by this modification. Approval of the modified subdivision does not impede future use of the subject property. Adjacent properties are either developed with existing single-family dwellings or are currently vacant land. Stub streets have been provided to properties to the east and west for future development.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposal provides for development of the site consistent with current zoning standards and SUB 07-13 dated September 28, 2007, and SUB 07-13A dated December 18, 2007. The proposal meets the criterion.

(3) Development within the tentative subdivision plan can be adequately served by City infrastructure.

Applicant Findings: The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for

future development of any adjoining properties. The City's adopted facility plans, and construction requirements are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

The property has an issued UGA (UGA 07-1). Public facilities are available to serve the property resulting from prior development in the subject area. UGA 07-1 outlines all the needed linking requirements and improvements to get services to the site.

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. Therefore, this criteria has been met.

Proposed Storm Water Management System:

Applicant Findings: Storm water quality and quantity have been reviewed for this development. A LID (low impact development) Storm water technique will be used to mitigate the increase in pollutants contributed from development. This system may also be used to provide storage and water quantity control. The exact system will be determined at the time of design. Any proposed technique meets City of Salem Storm water Management standards in means and methods to provide all aspects of Storm water management.

Per Condition No. 11 of SUB 07-13, the applicant will design and construct a complete storm drainage system at the time of development. The applicant will design the storm drainage system based on the design standards in place at the time of the 2007 Subdivision approval.

(4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Applicant Findings: The subdivision provides for hard-surfaced vehicle, bicycle and pedestrian access from the subdivision to the existing internal streets.

Transportation Planning Rule Review:

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed subdivision modification is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015, and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements, and is consistent as follows:

(a) Mass Transit: The nearest transit service available to the site is provided via Route 15, located on Kale Road to the south of the site.

(b) Pedestrian Connectivity: Improved pedestrian access is indicated on the site plan and will be provide via proposed sidewalks along the internal streets onto the existing sidewalk and proposed sidewalks on Kale and Hazel Green Road.

As an infill proposal, the transportation network in the area is already established or being established as more development occurs in the area. Connections to the existing system are provided by existing streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the

site plan. The pedestrian path will be dedicated as right-of-way.

Findings for supporting this criterion are found in UGA 07-1. The major street network in the area has been identified has having been established and is consistent with the Salem Transportation System Plan. Improvements and linking requirements will be made as outlined in UGA 07-1. The subdivision is served with adequate transportation infrastructure and the street system adjacent to the property will conform to the Salem Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property.

The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets will be designed to Public Works street standards.

The modification does request modifications to street improvements and Conditions of Approval as follows:

Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"
Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share
Revise Condition No. 22
-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

A TIA was submitted and approved by the City of Salem, with the SUB 07-13 approval. The modification is changing the number of lots proposed from 729 lots to 660 lots. Therefore, the modification will not affect the approved TIA.

(5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

Applicant Findings: The subject property is located in a developed and developing area where improved streets and sidewalks exist or are proposed. The local street system serving the development provides the necessary connections and access to the Local Street and circulation system serving this residential neighborhood.

The subdivision will provide sidewalks along the proposed portion of the site where lots and Segments will be developed.

Access to, within, and from the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, through, and out of a development. The proposal develops the subject property within an established residential area where local and arterial streets and mass transit facilities exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The Public Works Department addressed the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan

requirements via issued UGA 07-1. Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria has been met.

(6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

Applicant Findings: The subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property once the access ways are hard-surfaced and physically connected to the public street system.

Therefore, via existing and proposed paved streets and sidewalks, safe and convenient bicycle and pedestrian access will be provided to the site and to adjacent neighborhoods.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria has been met.

(7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. A TIA was approved by the City of Salem in 2007. The street layout does not warrant the need for a new TIA. All mitigations required by the TIA and Conditions of Approval will be met.

Therefore, this criteria has been met.

(8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Applicant Findings: Topography and vegetation was taken into consideration for the subdivision. A majority of the lots and all the streets are in compliance with the UDC.

However, an adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

(9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

Applicant Findings: The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The subdivision plan takes into consideration the topography and vegetation of the site. The applicant has an approved Tree Conservation Plan (TCP 07-17). The Tree Conservation Plan is not being modified.

The proposed lots are of sufficient size and dimensions to permit future development. An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I. The lot dimensions are illustrated on the tentative site plan. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

Topography and vegetation were taken into consideration for the subdivision. Most of the lots and all the streets are in compliance with the UDC. Therefore, this criteria has been met.

10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Applicant Findings: The subject properties are subject to growth management requirements for public facilities. Urban Growth Area Permit-UGA 07-1 was approved for the subject property. Therefore, the applicant is subject to the requirements of UGA 07-1.

MODIFICATION CRITERIA-UDC 205-070(D)-See Proposed Modification Sheets 1-6

The SUB 07-13 and SUB07-13A were approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with modified segment lines and less lots. The total numbers of lots is being modified from 729 lots to 660 lots. The following modifications are proposed:

1) Modify the boundary of Segment D
-The boundary of Segment D is being realigned.
-Number of lots in Segment D are being reduced from 70 lots to 65 lots

2) Modify the street layout and boundary of Segment E
-The street layout in Segment E is being modified
-The boundary of Segment E is being realigned

3) Modify the number of lots in Segments A, E, G, and K
-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 63 lots
-Number of lots in Segment G are being reduced from 55 lots to 53 lots
-Number of lots in Segment K are being reduced from 62 lots to 55 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, “Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE”

6) Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22
-Revise Condition No 22 to say, “Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the

subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): *Original=729 lots

Proposed Modification (1 Option)(11 Segments): *Proposed=660 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	63	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

Criteria. An application for modification pursuant to this section shall be approved if all of the following criteria are met:

(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and

Applicant Findings: The modification is in substantial conformance with the original approval and conditions of approval. The modification does request the revision or elimination of a few Conditions of Approval for SUB07-13, SUB07-13A, TCP07-17, and UGA07-1. All Conditions of Approval will be met to assure compliance with the Code.

The original approval and the modification were for eleven (11) Segments. This proposed modification will continue to have eleven (11) Segments, but with modified segment lines. Therefore, the modification is not and will not be inconsistent with conditions of original approval.

(2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Applicant Findings: The proposed modification does not result in significant physical changes as shown on the site plan. The only changes are outlined above and within eleven (11) Segments. See Proposed Modification Sheets. Therefore, the changes are not a significant change.

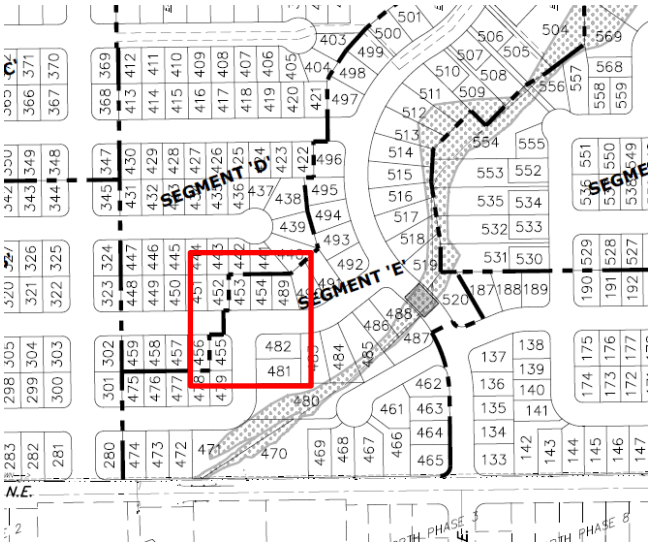
Conclusion

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

1) Modify the boundary of Segment D

-The boundary of Segment D is being realigned.

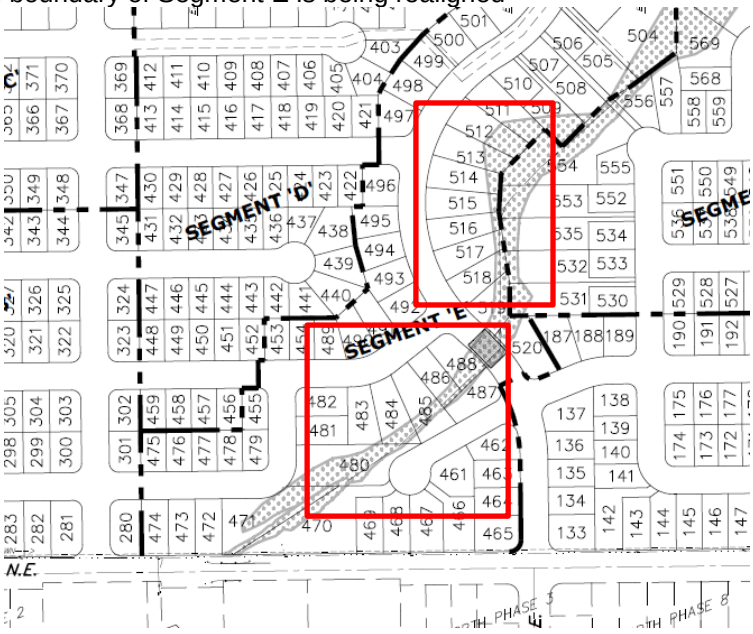
-Number of lots in Segment D are being reduced from 70 lots to 65 lots



2) Modify the street layout and boundary of Segment E

-The street layout in Segment E is being modified

-The boundary of Segment E is being realigned



3) Modify the number of lots in Segments A, E, G, and K

-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 63 lots
-Number of lots in Segment G are being reduced from 55 lots to 53 lots
-Number of lots in Segment K are being reduced from 62 lots to 55 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14

-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

6) Revise Condition No. 16

-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22

-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): *Original=729 lots

Proposed Modification (1 Option)(11Segments): *Proposed=660 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	63	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

The proposed modification is in compliance with all applicable Code and the Conditions of Approval. All Conditions of Approval will be met as specified in the SUB07-13, SUB07-13A, and UGA07-1, along with requirements of this proposed modified decision.

06 2W 32C

SEE MAP 062W31A

1/4 COR

SEE MAP 062W31DA

924 00 21 0

32CB

EBONY LANE

32CA

LAKE LABISH RD

SEE MAP 062W32B

CTR SEC

SEE MAP 062W32

ZEL GREEN ROAD N.

HAZEL GREEN RD

N89 46W 1485.00

NOTE: ASSESSED WITH TAX LOT 100 ON MAP 06 2W 31D

500 0.33 AC

400 15.26 AC

300 5.76 AC

200 38.51 AC

100 19.17 AC

100 L1

SE COR S. STEPHENS DLC 37

924 00 21 0

924 00 21 0

924 00 21 0

SEE MAP 062W31D

700 0.45 AC

N89 42E 513.74

800 33.88 AC

900 17.43 AC

924 01 00 0

1000 19.51 AC

SEE MAP 062W32D

LOOP

TIMM AVE

COPPER CREEK LOOP

CRYSTAL AV

31 32 6 5

1/4 COR

NE COR A. STANTON DLC 49

NW COR J. MARTIN DLC 71

KALE ROAD (CR 725)

SEE MAP 072W06AA

SEE MAP 072W05BB

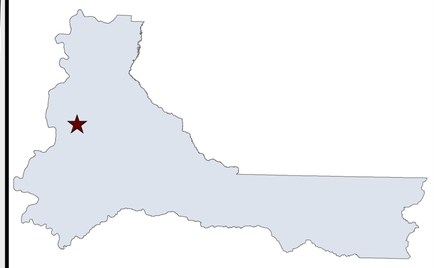
SEE MAP 072W05BA

SEE MAP 072W05AB

REBECCA CT

06 2W 32C

06 2W 32C SALEM



MARION COUNTY, OREGON

SW1/4 SEC32 T6S R2W W.M.

SCALE 1" = 200'

LEGEND

LINE TYPES

- Taxlot Boundary
- Historical Boundary
- Road Right-of-Way
- Easement
- Railroad Right-of-Way
- Railroad Centerline
- Private Road ROW
- Taxcode Line
- Subdivision/Plat Bndry
- Map Boundary
- Waterline - Taxlot Bndry
- Waterline - Non Bndry

CORNER TYPES

- 1/16TH Section Cor.
- 1/4 Section Cor.
- DLC Corner
- Section Corner (16 15 / 21 22)

NUMBERS

Tax Code Number

000 00 00 0

Acreage

0.25 AC

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

200.00 / 175.00

CANCELLED NUMBERS

801

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

Marion County OREGON — Assessors Office Cartography Dept

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 1/23/2018

SALEM 06 2W 32C

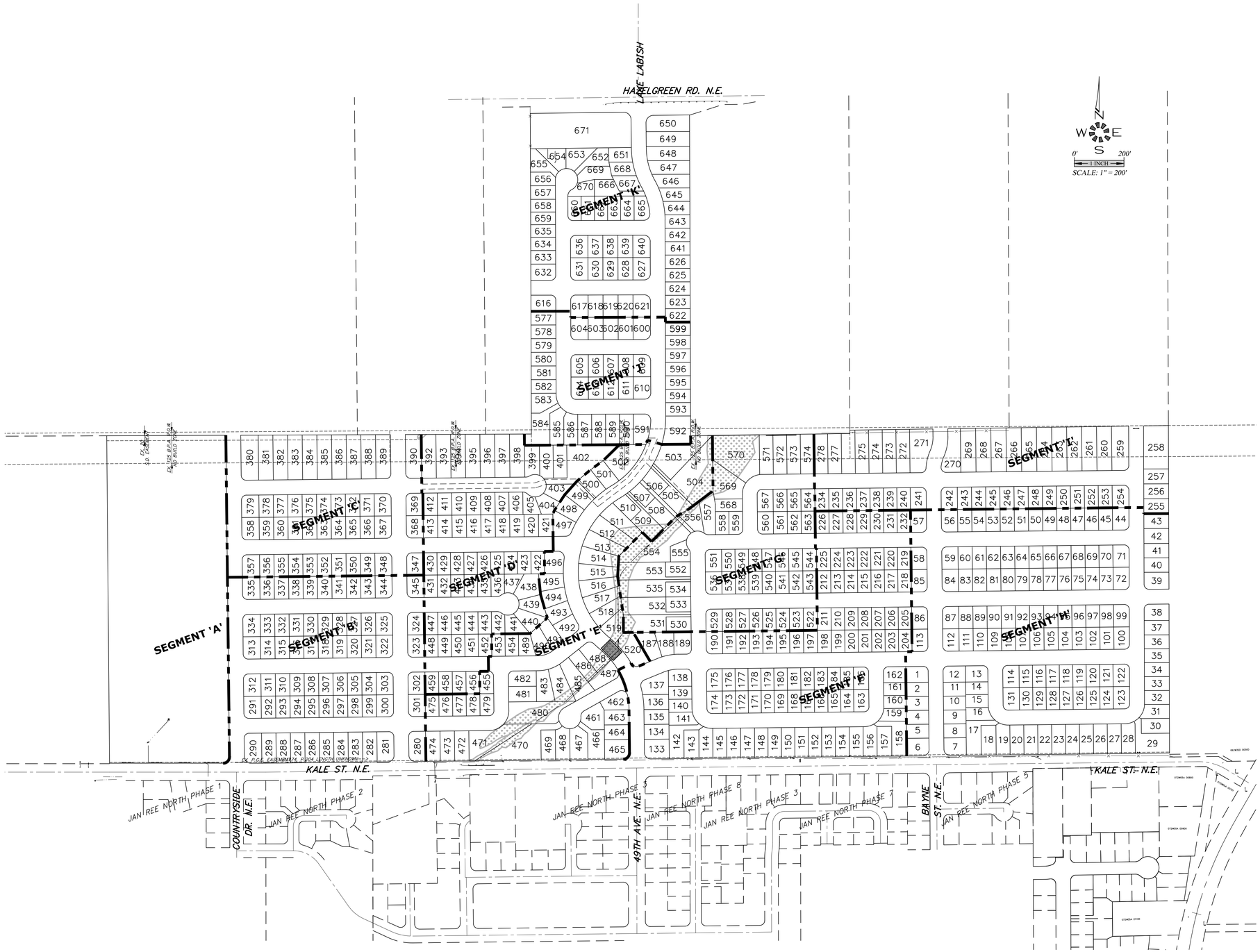
Owner / Developer:

Northstar Communities L.L.C.

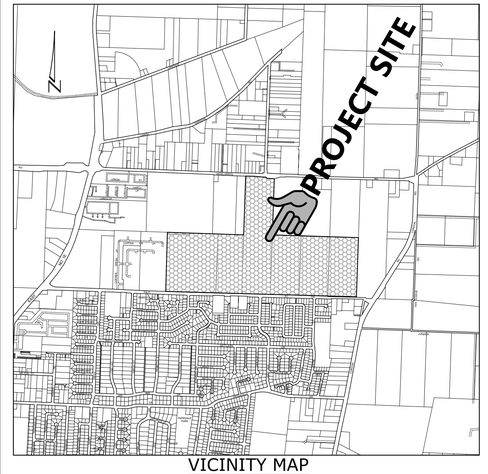
9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



N
W E
S
0' 200'
1 INCH
SCALE: 1" = 200'



VICINITY MAP

NUMBER OF LOTS BY SEGMENT

SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	63	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

COVER SHEET

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610.Subfeat 1 of 7-COV

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 4, 1974
MARION D. GREENE

EXPIRES: 06-30-2019

JOB # 6610

1 of 7

J:\6600-6699\6610-Northstar\Civil\Dwg's\R6610_SubMod.dwg, 1 of 7-COV, 5/7/2019 5:19:40 PM, CSpilman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

MULTI/TECH

ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 2 of 7

Design:	M.D.G.
Drawn:	C.F.S.
ProjMgr:	J.J.G.
Date:	FEB. 2019
Scale:	AS SHOWN
As-Built:	----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

2 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg.s\BL6610_SubMod.dwg, 2 of 7, 5/7/2019 5:19:47 PM, CSpalmon

Owner / Developer:

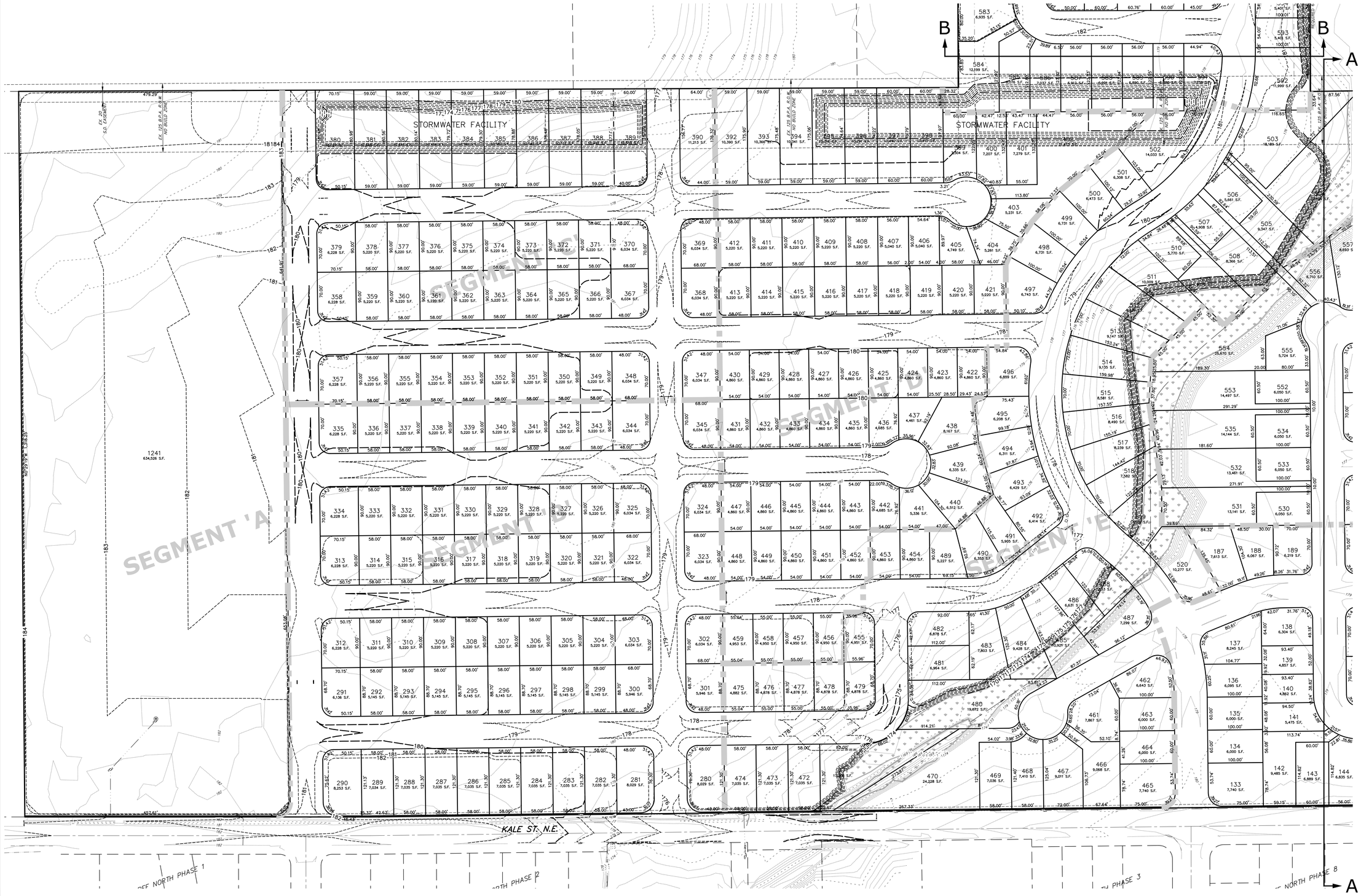
Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

N
W E
S
0' 80'
1 INCH
SCALE: 1" = 80'



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod - 3 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 9, 1985
MARK D. GRENZ
RENEWS: 6-30-2019

EXPIRES: 06-30-2019

JOB # 6610

3 of 7

J:\6600-6699\6610-Northstar\Dwg_r18\6610_SubMod.dwg, 3 of 7, 5/7/2019 5:19:54 PM, CSpielman

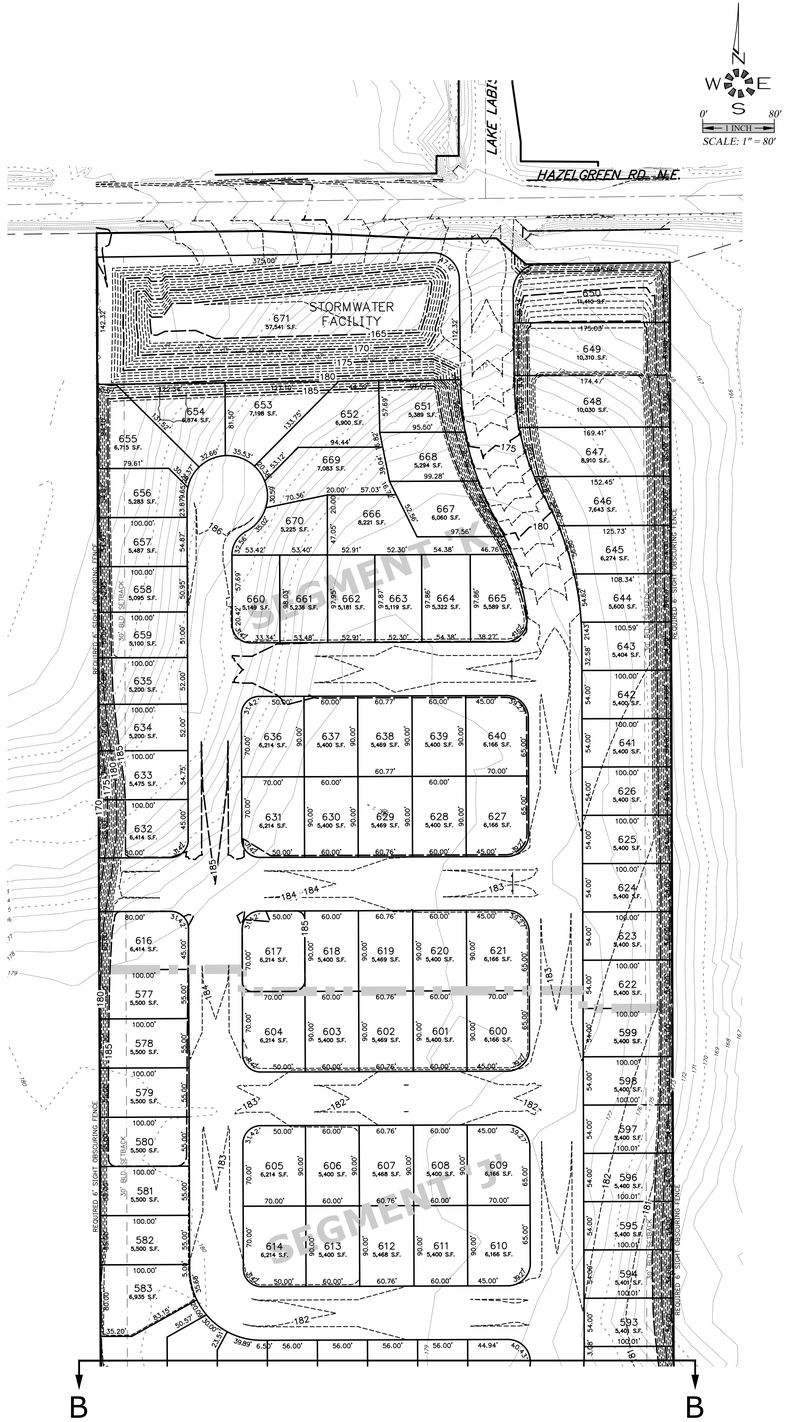
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING SERVICES EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 4 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----- ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2019

JOB # 6610

4 of 7

J:\6600-6699\6610-Northstar\Civil\Dwg-r18\6610_SubMod.dwg, 4 of 7, 5/7/2019 5:20:01 PM, CSpielman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 5 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

5 of 7

J:\6600-6699\6610-Northstar\Civil\Dwg if\6610_SubMod.dwg 5 of 7, 5/7/2019 5:20:07 PM, CSpitzmus

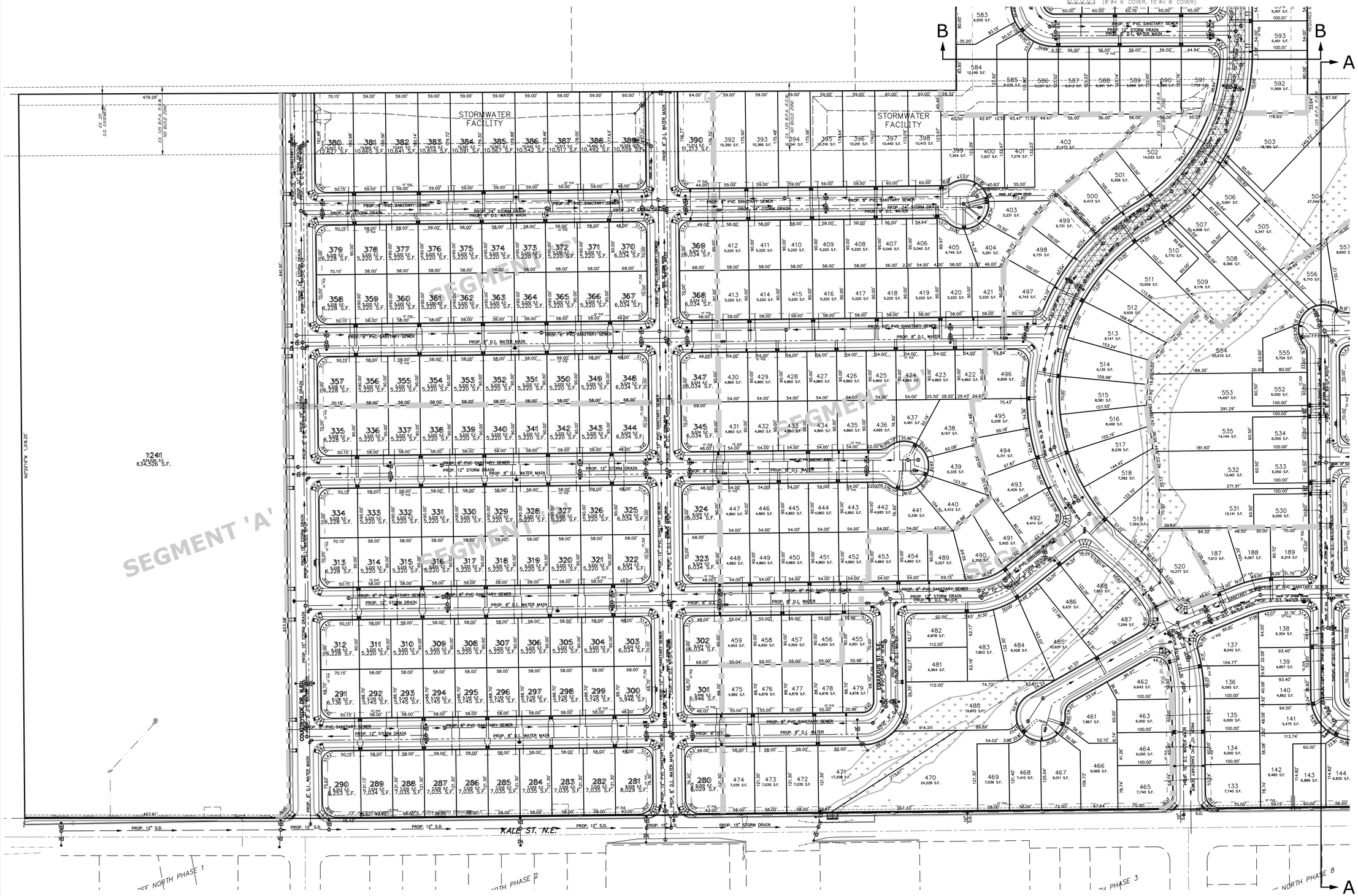
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PROPOSED MODIFICATION

UTILITY PLAN

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610.SubMod 6 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARION D. GRENZ
9961

EXPIRES: 06-30-2019

JOB # 6610

6 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg's\6610_SubMod.dwg, 6 of 7, 5/7/2019 5:20:14 PM, CSpielman

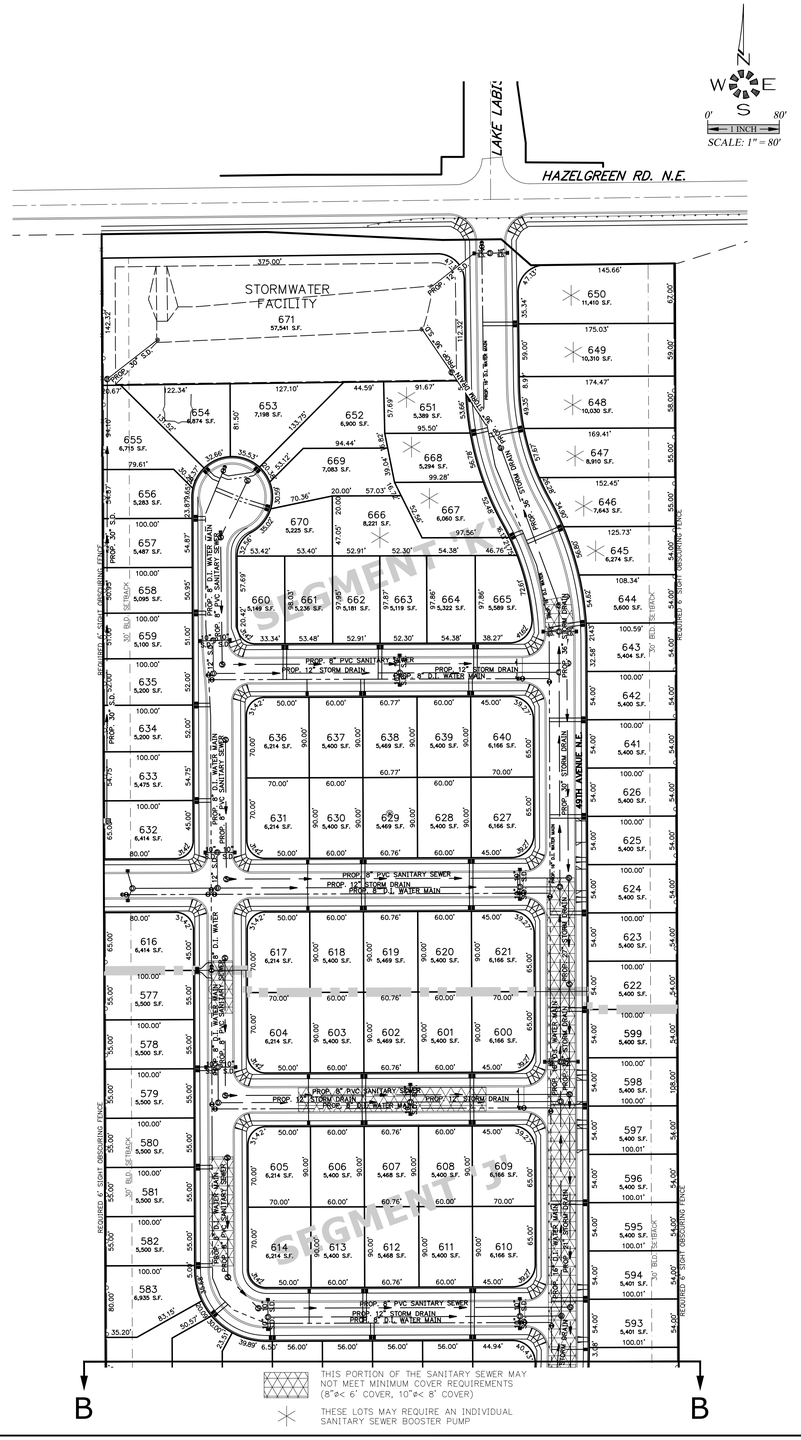
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

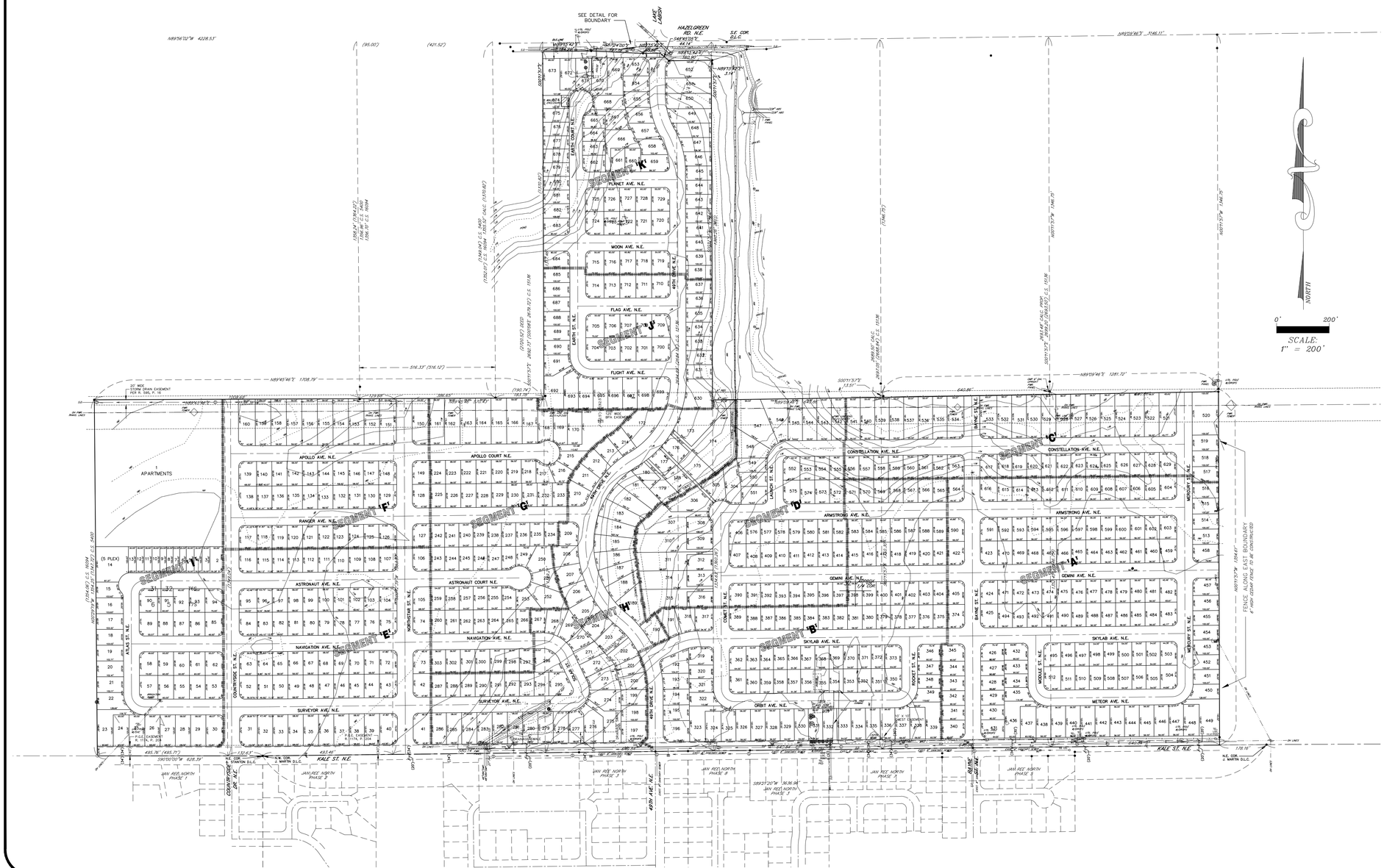
NORTHSTAR

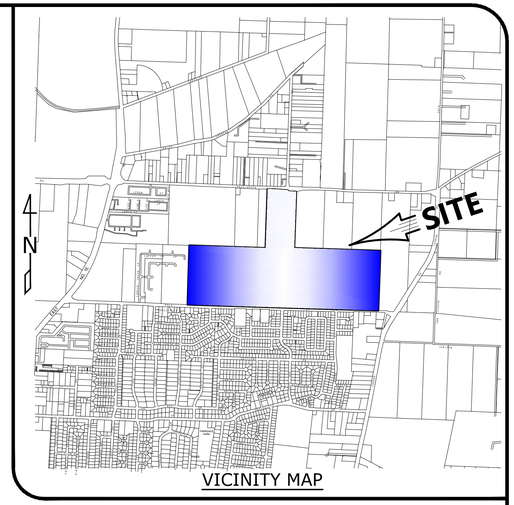
SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON


LAKE LABISH
HAZELGREEN RD. N.E.
STORMWATER FACILITY
671
57,541 S.F.
650
11,410 S.F.
649
10,310 S.F.
648
10,030 S.F.
647
8,910 S.F.
646
7,643 S.F.
645
6,274 S.F.
644
5,600 S.F.
643
5,404 S.F.
642
5,400 S.F.
641
5,400 S.F.
626
5,400 S.F.
625
5,400 S.F.
624
5,400 S.F.
623
5,400 S.F.
622
5,400 S.F.
599
5,400 S.F.
598
5,400 S.F.
597
5,400 S.F.
596
5,400 S.F.
595
5,400 S.F.
594
5,401 S.F.
593
5,401 S.F.
654
6,874 S.F.
653
7,198 S.F.
652
6,900 S.F.
651
5,389 S.F.
655
6,715 S.F.
668
5,294 S.F.
669
7,083 S.F.
656
5,283 S.F.
667
6,060 S.F.
670
5,225 S.F.
666
8,221 S.F.
657
5,487 S.F.
658
5,095 S.F.
659
5,100 S.F.
660
5,149 S.F.
661
5,236 S.F.
662
5,181 S.F.
663
5,119 S.F.
664
5,322 S.F.
665
5,589 S.F.
635
5,200 S.F.
634
5,200 S.F.
633
5,475 S.F.
632
5,414 S.F.
636
6,214 S.F.
637
5,400 S.F.
638
5,469 S.F.
639
5,400 S.F.
640
6,166 S.F.
631
6,214 S.F.
630
5,400 S.F.
629
5,469 S.F.
628
5,400 S.F.
627
6,166 S.F.
616
5,414 S.F.
577
5,500 S.F.
578
5,500 S.F.
579
5,500 S.F.
580
5,500 S.F.
581
5,500 S.F.
582
5,500 S.F.
583
6,835 S.F.
617
6,214 S.F.
618
5,400 S.F.
619
5,469 S.F.
620
5,400 S.F.
621
6,166 S.F.
604
6,214 S.F.
603
5,400 S.F.
602
5,469 S.F.
601
5,400 S.F.
600
6,166 S.F.
605
6,214 S.F.
606
5,400 S.F.
607
5,468 S.F.
608
5,400 S.F.
609
6,166 S.F.
614
6,214 S.F.
613
5,400 S.F.
612
5,468 S.F.
611
5,400 S.F.
610
6,166 S.F.
SEGMENT 1
SEGMENT 2
49TH AVENUE N.E.
PROP. 8" D.I. WATER MAIN
PROP. 8" PVC SANITARY SEWER
PROP. 12" STORM DRAIN
PROP. 30' STORM DRAIN
PROP. 24" STORM DRAIN
PROP. 18" STORM DRAIN
PROP. 12" STORM DRAIN
PROP. 8" STORM DRAIN
PROP. 6" STORM DRAIN
PROP. 4" D.I. WATER MAIN
PROP. 6" D.I. WATER MAIN
PROP. 6" D.I. WATER MAIN & PVC SANITARY SEWER
PROP. 8" D.I. WATER MAIN & PVC SANITARY SEWER
PROP. 8" D.I. WATER MAIN & PVC SANITARY SEWER & STORM DRAIN
PROP. 8" D.I. WATER MAIN & STORM DRAIN
PROP. 8" D.I. WATER MAIN & PVC SANITARY SEWER & STORM DRAIN
PROP. 6" D.I. WATER MAIN & PVC SANITARY SEWER & STORM DRAIN
PROP. 6" D.I. WATER MAIN & PVC SANITARY SEWER
PROP. 6" D.I. WATER MAIN

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

NUMBER OF LOTS

OPTION 1 (LOTS ONLY) - 729
OPTION 2 (W/ PARK AND SCHOOL) - 669
OPTION 3 (W/ PARK ONLY) - 694

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED
NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg/PLOT:1 P1-PRE

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: MARCH 2017
Scale: AS SHOWN
As-Built:

NORTHSTAR

PRELIMINARY PLAN

Drawing Number **6474**
Sheet Number **1** of **6**

J:\6400-6499\6474-Northstar\Dwg\6474REV.dwg, P1-PRE, 5/4/2017 3:24:59 PM, PSaunders

CITY OF Salem
AT YOUR SERVICE

Traffic Engineering Section
Public Works Department
555 Liberty Street SE, Room 325 Telephone: 503-588-6211
Salem, Oregon 97301-3513 TTY: 503-588-6292

Trip Generation Estimate

Street _____

Bin # _____ TGE # _____

Date Received _____

Section 1 (To be completed by applicant.)

Applicant Name: I+E Construction Telephone: _____

Applicant Mailing Address: 9550 Clackamas Rd - Clackamas 97015

Location of New Development: Kale Rd
(Please provide street address. If unknown, provide approximate address and geographical description/nearest cross streets.)

Description and Size of New Development: 660 lot Subdivision - Modify SUB07-13A
(e.g., 150 single-family homes, 20,000 sq. ft. office addition, 12-pump gas station, 50-student day care, additional parking, etc.)

Description and Size of Existing/Past Development, if any (note whether to remain or be removed): SUB07-13 + SUB07-13A

Planning Action Involved, if any: Modification
(e.g., zone change, subdivision, partition, conditional use, PUD, mobile home park, etc.)

Building Permit Involved: Yes ☐ No ☒

Section 2 (To be completed by City staff.)

Proposed Use	Existing Use
Development Quantity:	Development Quantity:
ITE Land Use Code:	ITE Land Use Code:
Trip Generation Rate/Equation:	Trip Generation Rate or Equation:
Average Daily Trips:	Average Daily Trips:
ELNDT Adjustment Factors	**ELNDT Adjustment Factors**
Trip Length: Linked Trip:	Trip Length: Linked Trip:
TSDC Trips:	TSDC Trips:

Section 3 (To be completed by City staff.)

Transportation Impact Analysis (TIA)

Net Increase in Average Daily Trips: _____
(Proposed use minus existing use.)

☐ A TIA **will** be required:
- ☐ Arterial/Collector—1000 Trip/day Threshold
- ☐ Local Street/Alley—200 Trip/day Threshold
- ☐ Other: _____

☐ A TIA **will not** be required.

Transportation Systems Development Charge

Net Increase in TSDC Trips: _____
(Proposed use minus existing use.)

☐ A TSDC **will** be required.
(Fee determined by Development Services.)

☐ A TSDC **will not** be required.

(For additional information, refer to the back of this application.)

Section 4 (To be completed by City staff.)

Remarks: Date: _____

cc: ☐ Chief Development Services Engineer
- ☐ Community Development
- ☐ Building Permit Application
- ☐ _____

By: _____

ASSOCIATED
TRANSPORTATION
ENGINEERING &
PLANNING INC.

A.T.E.P., Inc.
1155 13th St. S.E.
Salem, OR. 97302

Tel.: 503-364-5066
FAX: 503-364-1260
e-mail: kbirky@atepinc.com

Date: September 24, 2018
To: Mr. Mark Grenz, PE,
From: Karl Birky, PE, PTOE
Re: Northstar TIA Update

You have asked me to update and review the traffic impacts of traffic from the Northstar development currently under construction generally north of Kale Rd and between Hwy 99E and Cordon Rd in Salem. The TIA for Northstar was done in 2007, but construction was delayed for several reasons. The site will eventually include 679 single-family home lots, 252 apartment units and a 150 bed assisted living facility on the 150-acre site. Phases 1 through 5 are currently built or being built and phases 6 through 11 will follow in the next year. Your primary interest and focus at this time is the performance metric of Hwy 99E at Hazel Green Rd. You want to know whether construction of the northbound right turn and second left turn lanes to the Hwy 99E at Hazel Green Rd intersection is needed with Phases 6 through 11 of Northstar are built and occupied. The intersection will function within accepted performance metrics without the additional turn lanes.

You asked me to look at the intersections of:

Hwy 99E at Hazel Green Rd
Hwy 99E at Kale Rd
Kale Rd at Cordon Rd and
Cordon Rd at Hazel Green Rd

Quality Counts conducted turning movement counts at the four corners (intersections) in September 2018. I note that there were 1623 vehicles in the AM Peak hour entering the intersection of Hwy 99E at Hazel Green Rd in 2007 and there were 1839 vehicles in the 2018 count. This is a 1.2% increase in traffic per year and closely matches the SKATS 2007 estimate of 1.12% per year growth. PM Peak hour traffic increased from 2309 to 2739 yielding a 1.7% per year increase in traffic.

There are 679 single-family home lots, 252 apartments and 150 assisted living units in the planned and approved Northstar subdivision. The first phases have been built, but no occupied homes are on the site. When I analyze the intersection, I find AM Peak hour performance metrics would change from LOS C and v/c 0.456 with no occupied homes in 2018 to LOS C and v/c 0.522 with 679 homes, 252 apartments and 150 assisted living units occupied in 2020. Existing traffic was increased 3% to estimate 2020 traffic. The PM Peak hour performance metrics change from LOS D and v/c 0.659 with no occupied homes to LOS D and v/c 0.699. All the projected performance metrics are within the standards used by the City of Salem and ODOT at the intersection. It is reasonable for you to ask the City to permit construction of the remaining homes, apartments and assisted living facility. It is also reasonable for the City to grant that permission prior to building the NBLT lane.

The performance metric summaries for the existing AM and PM Peak hour periods follow:

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Hwy 99E at Hazel Green Rd	Signalized	HCM 6th Edition	WB Left	0.456	25.9	C
2	Cordon Rd at Hazel Green Rd	All-way stop	HCM 6th Edition	WB Thru	0.596	15.5	C
4	Hwy 99E at Kale Rd	Signalized	HCM 6th Edition	WB Right	0.278	10.0	A
8	Cordon Rd at Kale St	Two-way stop	HCM 6th Edition	EB Left	0.059	13.8	B

Existing 2018 AM Peak hour performance metrics

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Hwy 99E at Hazel Green Rd	Signalized	HCM 6th Edition	WB Left	0.659	35.5	D
2	Cordon Rd at Hazel Green Rd	All-way stop	HCM 6th Edition	EB Thru	0.954	32.6	D
4	Hwy 99E at Kale Rd	Signalized	HCM 6th Edition	WB Right	0.464	11.2	B
8	Cordon Rd at Kale St	Two-way stop	HCM 6th Edition	EB Left	0.070	17.6	C

Existing 2018 PM Peak hour performance metrics

The construction of 679 homes, 252 apartments and 150 assisted living units Northstar will add traffic to roadways. The 2020 performance metric summaries with full development of Northstar for the AM and PM Peak hour periods follow:

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Hwy 99E at Hazel Green Rd	Signalized	HCM 6th Edition	WB Left	0.522	29.8	C
2	Cordon Rd at Hazel Green Rd	All-way stop	HCM 6th Edition	WB Thru	0.667	18.5	C
4	Hwy 99E at Kale Rd	Signalized	HCM 6th Edition	SB Left	0.496	15.6	B
8	Cordon Rd at Kale St	Two-way stop	HCM 6th Edition	EB Left	0.067	15.3	C

Developed 2020 AM Peak hour performance metrics with Northstar subdivision

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Hwy 99E at Hazel Green Rd	Signalized	HCM 6th Edition	WB Left	0.699	38.2	D
2	Cordon Rd at Hazel Green Rd	All-way stop	HCM 6th Edition	EB Thru	1.074	49.0	E
4	Hwy 99E at Kale Rd	Signalized	HCM 6th Edition	SB Left	0.626	16.2	B
8	Cordon Rd at Kale St	Two-way stop	HCM 6th Edition	EB Left	0.095	22.2	C

Developed 2020 PM Peak hour performance metrics with Northstar subdivision

Summary: The AM and PM Peak hour performance metrics at the intersection of Hwy 99E at Hazel Green Rd will remain within the accepted performance standards if all the homes, apartments and assisted living units Northstar subdivision are occupied. It is reasonable for you to request approval to complete the subdivision before the exclusive northbound right turn lane (NBRT) and the second left turn lane at the intersection of Hwy 99E at Hazel Green Rd is built. It is reasonable for the City of Salem to permit the construction of the subdivision with the developer's commitment to paying his proportional share to the additional turning lanes at the intersection of Hwy 99E at Hazel Green Rd.

Thank you for asking for this information. I can be reached at 504-364-5066 if there is any additional information that might be helpful for you and/or the City.

Regards,

Karl Birky, PE, PTOE

CITY OF Salem AT YOUR SERVICE

City of Salem, Oregon
Community Development Department
Planning Division

Permit Application Center
Phone: 503-588-6213
Fax: 503-588-6005
www.cityofsalem.net/planning
@Salem_Planning

Expedited Land Division Application Form (ORS 197.360-380)

What is an Expedited Land Division?

The expedited land division process provides an alternative to the standard procedures for certain land division requests. An applicant may choose to use the expedited land division process if their land division request meets all of the applicable requirements specified in Oregon Revised Statute (ORS) 197.360 (see reverse side). The steps in this procedure differ from the regular subdivision procedure, but still include a public review and opportunity for appeal. The steps are described in ORS 197.365-375.

Is it faster than the regular subdivision process?

The expedited land division process is intended to streamline the regular land use process that land divisions normally follow under state law, which allows up to 120 days for final city approval. In Salem, however, the typical processing time for a land division application (subdivision, partition, or replat) that meets city standards and is complete when submitted, is far less than the 120 days that state law allows. Therefore, in Salem, in many cases there is no difference in processing time between a regular land division and expedited land division.

What are the requirements to qualify for the Expedited Land Division process?

ORS 197.360 lists the requirements to qualify for an expedited land division review. These requirements are summarized below. The full text of ORS 197.360 is included on the reverse side of this form.

The proposed land division (i.e. subdivision, partition, or replat):

1. Must be on residentially zoned land and must be solely for the purposes of residential use;
2. Must not create building lots that provide for dwellings or accessory buildings within areas that contain natural resource protections, such as, but not limited to, the Willamette Greenway;
3. Must satisfy all City street standards and connectivity requirements; and
4. Must either:
    a. *Create enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*
    b. *Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*

Why am I receiving this application form for Expedited Land Division now?

The expedited land division process has existed since 1995; however, the 2015 Oregon Legislature required that all land division applicants be notified of the expedited land division option and how to apply.

Are you applying for an Expedited Land Division?

Yes ☐ **No** ☒ (If yes, then attach a written description of how the proposal satisfies ORS 197.360)

Applicant Name: Brandie Dalton Telephone: 503-363-9227

Applicant Mailing Address: 1155 13th St. SE Salem - OR

Site Address: Kale Rd (Northstar SUB)

Brandie Dalton Brandie Dalton 3-21-19

(Signature) (Print Name) (Date)

UGA DEVELOPMENT REVIEW COMMITTEE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

ISSUE: Preliminary Declaration for Urban Growth Area Development Permit No. 07-1

DATE OF DECISION: June 25, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To assure that major public facilities such as sewers, water and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program in order to develop the subject property that lies outside the USA (Urban Services Area) in an area without required facilities, and to determine conditions established in the UGA (Urban Growth Area) Development Permit. The proposal is for a multi-family and single-family subdivision on approximately 148.74 acres, zoned RS (Single-Family Residential), RM1 and RM2 (Multi-Family Residential) and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map 062W32C, taxlots 200, 800, 900, 700, and 1000, and 062W32D, taxlots 701 and 1100).

ACTION:

The following is a Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property. The Preliminary Declaration is subject to the terms of Salem Revised Code (SRC) Chapter 66, the Salem Transportation System Plan (STSP), the City of Salem Stormwater Management Master Plan, City of Salem Water System Master Plan, Salem Wastewater Management Master Plan, Public Works Design Standards, Comprehensive Parks System Master Plan, and conditioned on the provision of the public facilities as listed below.

This Preliminary Declaration for a UGA permit addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property (SRC 66.140). All internal facility improvement requirements will be addressed at the time of development of the property. Salem Revised Code (SRC) Chapter 66 '"Urban Growth Management" sets forth the City's authority for imposing linking and boundary facility improvement requirements. A reimbursement district, as defined in SRC 66.500(i), may be established to reimburse the developer for costs as allowed by SRC 66.505. The UGA Preliminary Declaration may be amended as set forth in SRC 66.200. However, as provided in SRC 66.200(d)(2), minor adjustments to the Preliminary Declaration that do not result in conflicts with the Master Plan, may be processed administratively.

The Facts and Findings of the Departments of Public Works and Community Services are attached as Exhibits 1 and 2. The applicant has the responsibility to provide the following facilities pursuant to the requirements of the UGA Development Permit and according to SRC Chapter 66:

A. Linking Street Requirements

The subject property is currently linked to an adequate linking street, Kale Road NE.

The applicant shall construct a linking street improvement in Kale Road NE from the east line of the subject property to Cordon Road NE. The linking street improvement shall include a minimum 34-foot-wide paved improvement within adequate right-of-way to construct the improvement.

B. Boundary Street Requirements

1 Kale Road NE: This street is designated as a *minor arterial* in the Salem Transportation System Plan (STSP). The construction standard for this street is a 46-foot-wide improvement within a 72-foot-wide right-of-way. Currently, this street has a varied improvement and right-of-way along the frontage of the subject property.

a. The applicant shall convey land for dedication for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of centerline adjacent to the subject property.

b. The applicant shall construct a 23-foot half-width improvement on the development side, including street lights and sidewalks, and a 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property.

2. Hazel Green Road NE: This street is designated as a *parkway* in the STSP. The standard construction for this classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way. Hazel Green Road currently has an approximately 24-foot turnpike improvement within right-of-way width that varies between 68 and 118 feet.

   a. The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side.

   b. The applicant shall construct a maximum 40-foot half-width boundary street improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property in an alignment approved by the Director of Public Works. These improvements shall include streetlights and sidewalks.

3. 49th Avenue NE: 49th Avenue is designated as a *collector* street is the STSP and is intended to run north/south. This street is planned to connect Kale Road NE to Hazel Green Road NE in a rough alignment with the existing extent of 49th Avenue NE and Lake Labish Road NE. The *collector* standard for this street depends on the applicant's need for off-street parking. A *Type B collector* requires a 40-foot-wide offset improvement that allows for parking on one side and a *Type A collector* requires a 34-foot improvement but does not allow parking.

   a. The applicant shall convey land for dedication sufficient to equal 60 feet of right-of-way.

   b. The applicant shall construct a minimum 34-foot improvement along the full frontage of the subject property.

C. Traffic Mitigation Requirements

The applicant shall be required to provide a TIA to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report.

D. Storm Drainage Requirements

The subject property is within the Little Pudding Drainage Basin and the North Fork of the Little Pudding River crosses the subject property. There are public storm drain lines and drainage ditches in Kale Road NE. There is also a public storm drain line from the west that outfalls to a drainage ditch that crosses the subject property. This ditch ties into the North Fork of the Little Pudding River at Hazel Green Road NE.

1. The applicant shall submit a drainage study at the time of development, consistent with the Stormwater Management Design Standards as approved by the Public Works Director. The drainage study shall: (1) identify all applicable deficiencies shown on the *Stormwater Master Plan* for the North Fork Little Pudding River from Kale Road SE to the Urban Growth Boundary; (2) specify on-site methods for minimizing stormwater runoff; and (3) identify off-site improvements needed to mitigate stormwater impacts.

2. The applicant shall construct all on-site and off-site improvements needed to mitigate stormwater impacts as specified in the approved drainage study.

E. Water Service Requirements

There is a 16-inch public water line in Kale Road NE, but no public water line in Hazel Green Road NE.

The applicant shall construct *Salem Water System Master Plan* facilities through the subject property within alignments approved by the Director of Public Works:

1. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

2. Extend the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property in an alignment to be approved by the Director of Public Works.

F. Sanitary Sewer Requirements

There is an 18-inch public sanitary sewer line in Kale Road NE. This sewer may not be able to serve to the north portion of the subject property. There is no sanitary sewer line in Hazel Green Road NE.

The applicant shall construct Salem Wastewater Master Plan lines necessary to connect the development to adequate sewer facilities in alignments approved by the Director of Public Works.

G. Parks Requirements

1. Based on the policies of the Comprehensive Park System Master Plan, the provisions of SRC 66.125, and the findings above, 6.9 acres of neighborhood park land (or approximately that size depending on the final subdivision layout), and an access route or other park linkages are needed to serve the subject property. Title to a platted, future neighborhood park in this service area shall be paid for and transferred to the City prior to or simultaneously with the recording of the plat for the final phase of the Northstar Subdivision. This condition may be met by providing a 6.9 acre neighborhood park on the subject property or, on approval of a joint use agreement for a site between the City of Salem and the Salem-Keizer School District, co-locating a 6.9 acre neighborhood park with a new elementary school on the subject property.

2. The above condition will not apply if the City acquires adequate neighborhood park acreage elsewhere in the vicinity to serve the property's park need.

Date of Preliminary Declaration: June 25, 2007

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, not later than **July 10, 2007, 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the Urban Growth Management Ordinance (SRC Chapter 66). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

This Preliminary Declaration will expire on June 25, 2009

Attachments:
- Exhibit 1: Facts and Findings of the Department of Public Works
- Exhibit 2: Facts and Findings of the Department of Community Services
- Exhibit 3: Vicinity Map

Prepared by Garrett Stephenson, Associate Planner

G:\Group\CD\PLANNING\STFRPRTS\2007\UGA\UGA07-1.ghs.wpd

RECEIVED
MAR - 2 2007
COMMUNITY DEV. DEPT.

PUBLIC WORKS
CITY OF Salem AT YOUR SERVICE

MEMO

TO: Garrett Stephenson, Associate Planner
Department of Community Development

FROM: Tony C. Martin, P.E., Senior Development Services Engineer GD FOR TM
Public Works Department

DATE: March 1, 2007

SUBJECT: **REVISED PUBLIC WORKS RECOMMENDATIONS**
UGA NO. 07-1 PRELIMINARY DECLARATION
4400-5200 BLOCKS OF KALE ROAD NE
PHASED RESIDENTIAL DEVELOPMENT

PROPOSAL

To determine the public facilities required by the Urban Growth Management Program to develop a phased residential development on approximately 148.74 acres in RS (Single Family Residential) and RM1 and RM2 (Multiply Family Residential) zones in the 4400-5200 blocks of Kale Road NE.

RECOMMENDED CONDITIONS:

UGA required improvements may be constructed in phases consistent with a development plan approved by the Public Works Director.

Linking Street

Construct a linking street improvement in Kale Road NE from the east line of the subject property to Cordon Road NE. The linking street improvement shall include a minimum 34-foot-wide paved improvement within adequate right-of-way to construct the improvement.

Boundary Street

Kale Road NE:

1. Convey land for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of centerline adjacent to the subject property.

2. Construct a 23-foot half-width improvement on the development side, including street lights and sidewalks, and 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property.

Code authority references are abbreviated in this document as follows: *S Works Design Standards* (PWDS); *Salem Transportation System Plai Management Plan* (SMP).

EXHIBIT 1

Hazel Green Road NE:

1. Convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side.

2. Construct a maximum 40-foot half-width boundary street improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property in an alignment approved by the Director of Public Works. These improvements shall include streetlights and sidewalks.

49th Avenue Collector Street Extension:

1. Convey land for dedication sufficient to equal 60 feet of right-of-way.

2. Construct a minimum 34-foot improvement along the full frontage of the subject property.

Linking Storm

1. Submit a drainage study at the time of development, consistent with the Stormwater Management Design Standards as approved by the Public Works Director. The drainage study shall: (1) identify all applicable deficiencies shown on the *Stormwater Master Plan* for the North Fork Little Pudding River from Kale Road SE to the Urban Growth Boundary; (2) specify on-site methods for minimizing stormwater runoff; and (3) identify off-site improvements needed to mitigate stormwater impacts.

2. Construct all on-site and off-site improvements needed to mitigate stormwater impacts as specified in the approved drainage study.

Linking Water

Construct *Salem Water System Master Plan* facilities through the subject property within alignments approved by the Director of Public Works:

1. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

2. Extend the 16-inch Mater Plan water line between Kale Road NE and the north line of the subject property in an alignment to be approved by the Director of Public Works.

Linking Sewer

Construct *Salem Wastewater Master Plan* lines necessary to serve the development to adequate sewer facilities in alignments to be approved by the Director of Public Works.

Traffic

Transportation Impact Analysis (TIA) - The applicant shall be required to provide a TIA to identify the impacts of this proposed development on the public transportation system in the area, and

construct any necessary mitigation measures identified in that report (OAR 660-12-0000 et seq.; PWDS Bulletin No.19).

UGA INFRASTRUCTURE DETAIL

Urban Growth Area Development (UGA) Permit

An Urban Growth Area Development (UGA) Permit is required because the subject property is either located outside of the Urban Service Area (USA), or is located inside the USA in an area without required facilities (SRC 66.050). A UGA permit requires an applicant to provide linking and boundary facilities to their property under the standards and requirements of SRC Chapter 66.

Streets

1. Linking Streets - The subject property is currently linked to an adequate linking street, Kale Road NE. Secondary linking streets may be required to accommodate the increase in traffic volumes generated by this proposal.

   An adequate linking street is defined as: (1) The nearest point on a street that has a minimum 34-foot improvement within a 60-foot-wide right-of-way (collectors or arterials); or (2) a street that has a minimum 30-foot-wide improvement within a 60-foot-wide right-of-way (local) (SRC 66.100(b)).

   In order to provide an adequate second link to serve the proposed development, the applicant shall be required to construct a linking street improvement in Kale Road NE from the east line of the subject property to Cordon Road. The linking street improvement shall include a minimum 34-foot-wide paved improvement within adequate right-of-way to construct the improvement.

2. Boundary Streets - All streets abutting the property boundaries shall be designed to the greater of the standards of SRC 63.225 and SRC 63.235 and the standards of linking streets in SRC 66.100. The boundary streets for this development are: (1) Kale Road NE; (2) Hazel Green Road NE; and (3) 49th Avenue Collector Street Extension. These streets shall be constructed as described below:

   Kale Road NE:

   a. Existing Conditions - This street has a varied improvement and right-of-way along the full frontage of the subject property.

   b. Standard - This street is designated as a *minor arterial* street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way. This street has a varied improvement and right-of-way adjacent to the subject property.

c. Improvement Requirements

Dedication - The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of centerline (SRC 63.237).

Property Line Radius - Sufficient right-of-way shall be dedicated at arterial and local street intersections to provide a 25-foot property line (turn) radius (PWDS Streets 2.15).

Improvements - The applicant shall construct a 23-foot half-width improvement on the development side and 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property (SRC 66.100(c); SRC 63.225; SRC 63.235). These improvements shall include streetlights and sidewalks (SRC 63.225(a); PWDS Streets 2.21).

d. Access Control: Street connection locations to Kale Road NE shall be approved by the Public Works Director.

Hazel Green Road NE:

a. Existing Condition - This street has an approximate 24-foot turnpike improvement within a 68-foot to 118-foot right-of-way. Section of the right-of-way accommodates the North Fork Little Pudding River.

b. Standard - This street is designated as a *parkway* in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot right-of-way.

c. Improvement Requirements

Dedication - The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side (SRC 63.237).

Property Line Radius - Sufficient right-of-way shall be dedicated at parkway and collector street intersections to provide a 30-foot property line (turn) radius (PWDS Streets 2.15).

Improvements - The applicant shall construct a maximum 40-foot half-width improvement on the development side and 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property as approved by the Director of Public Works (SRC 66.100(c); SRC 63.225; SRC 63.235). These improvements shall include streetlights and sidewalks (SRC 63.225(a); PWDS Streets 2.21).

i. Along Hazel Green Road NE, the North Fork Little Pudding River affects the alignment of the boundary street improvements adjacent to the subject property. Construct a boundary street improvement along the full frontage of the subject property in an alignment to be approved by the Director of Public Works.

d. Access Control - Access spacing shall be limited to one-mile intervals for arterial or collector street intersections and major intersections (PWDS Development Bulletin No. 34).

49th Avenue Collector Street Extension:

a. This street is designated as a north/south *collector street* in the Salem TSP. This extension is to connect Kale Road NE to Hazel Green Road NE in a rough alignment with 49th Avenue NE or Lake Labish Road NE. The standard for this street classification depends on wether parking is to be provided. A Type B collector requires a 40-foot-wide offset improvement that allows for parking on one side, and a Type A collector requires a 34-foot improvement all within a 60-foot-wide right-of-way.

b. Improvement Requirements

Dedication - The applicant shall convey land for dedication sufficient to equal 60 feet of right-of-way (SRC 63.237).

Property Line Radius - Sufficient right-of-way shall be dedicated at collector and arterial street intersections to provide a 30-foot property line (turn) radius (PWDS Streets 2.15).

Improvements - The applicant shall construct a minimum 34-foot improvement along the full frontage within subject property (SRC 66.100(c); SRC 63.225; SRC 63.235). These improvements shall include streetlights and sidewalks (SRC 63.225(a); PWDS Streets 2.21).

3. Right-of-Way Acquisition - Right-of-way required for boundary and linking street improvements is the obligation of the applicant. If the applicant is unable to obtain the required right-of-way after good faith attempts, they shall prepare the legal descriptions thereof and transmit them to the City Attorney, who shall proceed to acquire them through exercise of the City's power of eminent domain as though the public improvements were to be funded by the City. All costs incurred as a part of this procedure shall be paid by the applicant (SRC 66.090). All rights-of-way, easements, and titles to property acquired by the developer shall be deeded or dedicated, free of all liens and encumbrances, to the City prior to commencement of any construction of required facilities (SRC 66.090).

Traffic

Transportation Impact Analysis (TIA) - As a requirement of development, the applicant shall be required to provide a Transportation Impact Analysis (TIA) to identify the impacts of this proposed development on the public transportation system in the area, and construct any necessary mitigation measures identified in that report (OAR 660-12-0000 et seq.; PWDS Bulletin No.19). The City Traffic Engineer will determine the need for a TIA based on the development proposed for the site, and review and approve the TIA for conformance with City Standards. Construction plans for the development will not be reviewed without an approved TIA or a waiver from the City Traffic Engineer.

Storm Drainage

1. Existing Conditions:

   a. The subject property is within the Little Pudding Drainage Basin. The North Fork Little Pudding River crosses the subject property.

   b. There are public storm drain lines and drainage ditches in Kale Road NE.

   c. There is a public storm drain line from the west that outfalls to a drainage ditch that crosses the subject property. This drainage ditch ties into the North Fork Little Pudding River at Hazel Green Road NE

2. There is a Stormwater Management Agreement between The City of Salem, City of Keizer, and Marion County that requires coordination between the jurisdictions with respect to stormwater management within three watersheds, one of which is the Hazel Green/Labish Special Area within the Little Pudding River Basin. These special areas may be subject to special detention standards and/or maximum release rates.

3. Linking Storm Facilities - The *City of Salem, Stormwater Master Plan* identifies deficiencies along the North Fork Little Pudding River from Kale Road NE to Lake Labish flats. These deficiencies are: (1) bridge crossing at Kale Road NE, (2) bridge crossing at Hazel Green Road NE, (3) an undersized culvert on Lake Labish Road NE north of Hazel Green Road NE, and (4) conveyance deficiencies within the channel between Kale Road NE and the Lake Labish flats.

   a. Submit a drainage study at the time of development, consistent with the Stormwater Management Design Standards as approved by the Public Works Director. The drainage study shall: (1) identify all applicable deficiencies shown on the *Stormwater Master Plan* for the North Fork Little Pudding River from Kale Road SE to the Urban Growth Boundary; (2) specify on-site methods for minimizing stormwater runoff; and (3) identify off-site improvements needed to mitigate stormwater impacts.

b. Construct all on-site and off-site improvements needed to mitigate stormwater impacts as specified in the approved drainage study.

4. The North Fork Little Pudding River at Kale Road NE is a class "C" waterway. The proposed realignment of the North Fork Little Pudding River requires the river to be constructed to carry a 100-year design storm event. Reduced carrying capacity will need to be reviewed and approved to the satisfaction of the Director of Public Works. All Federal and State permits shall be required prior to development.

5. Individual infiltration systems may be necessary for each lot to restrict the flows into the storm drainage system. Any infiltration design shall be reviewed and approved by the Director of Public Works at the time of development.

Water

1. Existing Conditions:

   a. There is a 16-inch public water line in Kale Road NE.

   b. There is no public water line in Hazel Green Road NE.

2. Linking Water Facilities - The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 66.120). As specified in the *Water System Master Plan*, the applicant shall be required to construct the following systems within the Phased Development as approved by the Director of Public Works:

   a. Construct *Salem Water System Master Plan* facilities through the subject property within alignments approved by the Director of Public Works:

      i. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

      ii. Extend the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property in an alignment to be approved by the Director of Public Works.

3. Public water lines crossing adjacent lots or parcels shall require a minimum 10-foot-wide public easement to provide access for maintenance or repair and for protection of the system (SRC 63.165).

4. Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

MEMORANDUM

TO: Garrett Stephenson, Associate Planner, Dept. of Community Development
THROUGH: Thom Kaffun, Parks Project Section Manager, Dept. of Community Services
FROM: Lisa Tyler, Landscape Architect, Dept. of Community Services
DATE: 26 April 2007
SUBJECT: UGA Development Permit Application No.07-01
4400 to 5200 blocks of Kale Road NE

ISSUE: What park facilities would be required by Chapter 66, the Urban Growth Management Program, to develop the subject property?

FACTS AND FINDINGS:

1. The approximately 148.74 acre subject property is located outside the Urban Service Area (USA). Because the development is proposed before becoming part of the USA, an Urban Growth Area (UGA) Development Permit is required and must conform to the requirements of the Urban Growth Management Plan, SRC Chapter 66. This means that certain public facilities may be required. Park requirements are based on policies in the adopted Comprehensive Park System Master Plan (CPSMP).

2. SRC 66.125, Standards for Park Sites, stipulates that the Development Review Committee shall require that an Urban Growth Area (UGA) Development Permit applicant reserve property necessary for an adequate neighborhood park, access to park sites, recreation route or similar uninterrupted linkage based upon the CPSMP.

3. Pursuant to SRC 66.505, a reimbursement district may be formed to reimburse the developer for the proportional costs associated with providing public facilities to the park property to be conveyed to the City. Such costs include the engineering and construction costs for street lights, sewer, water, storm pipes and detention, sidewalks, curb and gutters that may be installed abutting the park property.

4. Neighborhood park locations are based on average service areas having a radius of 1/3 mile, a middle distance used to implement the 1/4 to1/2 mile service area radius required in the CPSMP.

5. The subject property is zoned Single Family Residential, and Multiple Family Residential. The proposed use is to develop approximately 900 residential units on the property including single family and multi-family housing.

6. Policy states that to determine if a property is served it should be within 1/2 mile of a neighborhood park. The 1/2 mile distance is measured from the nearest point on the park property to the farthest point on the subject property. The farthest point on the property is approximately 3630 feet from Hammond School Park (partially developed) and 4300 feet from park property (undeveloped) between Kale Road and Wheat Court. The subject property is not entirely within the service area of an existing neighborhood park.

7. The Park System Master Plan indicates the need for a growth related Neighborhood and Large Urban Parks within 1/2 mile of the subject property.

8. A series of detailed park land siting criteria, known as "administrative procedures," are used to assist in determining the location of the neighborhood Preferred Park Area and also generally described in the CPSMP as policy 1.7, which delineates "preferred" neighborhood park locations. The site selection criteria states: "Site selection criteria shall be used to evaluate and select new park and recreation sites. These criteria should address the following issues: 1. Central location; 2. Neighborhood access; 3. Location of complimentary public facilities (e.g. schools); 4. Population distribution within the service area; 5. Available sites; 6. Land acquisition costs 7. Location of other

EXHIBIT 2

park and recreation facilities in adjoining service areas; and 8. Unique features and/or natural assets.

9. A response to each of the park siting criteria is as follows:

1. *Central location*: The subject property is undeveloped 148.74 acres site. The zoning was recently changed from industrial to single and multi-family residential. The property is bordered by Kale Road on the south , the farm land and the UGA border the east, Hazel Green Road, farm land and a landscape plant nursery border the north, and farmland and multi-family residential developments border the west side of the property. The area north of Hazel Green consists of residential properties, typically larger than standard urban size lots.

2. *Neighborhood access*: The subject property is in an area of single family, multi-family, commercial and industrial development. The nearest residential areas are south, west and north. The northern portion of the property is centrally located in the unserved residential properties within the UGA. The neighborhood would access the site by existing streets and future connections.

3. *Location of complimentary public facilities (e.g. schools)*: The Hammond, Yoshikai and Hazel Green Elementary and Stephens Middle schools are within 1:/2 mile of the subject property. McKay High School is the approximately 2.75 miles south. The Salem-Keizer School District has indicated another elementary school is needed in the area.

4. *Population distribution within the service area*: Residential development to urban density are to the south and west of the subject property. The residential area to the north is underdeveloped in comparison to urban densities.

5. *Available sites*: Vacant, undeveloped, and/or under-developed land are available on the subject property and to the west. A commercial landscape nursery is to the east. The Subject property is the largest property under single ownership in the unserved area.

6. *Land acquisition costs*: The subject property is in the City Limits and zoned for residential development and would be priced accordingly. The properties to the west and east are outside the city limits, are zoned Industrial, and may be priced lower.

7. *Location of other park and recreation facilities in adjoining service area:* Hammond School Park is a 9.1 acre site with 5.25 acres of recreation open space located to the south. Park property on Kale Road is a 4.8 acre undeveloped park site located to the west. The Parks Master Plan indicates a 100 acre Large Urban Park proposed in this area.

8. *Unique features and/or natural assets.* The north Fork of the Little Pudding River flows south to north through the site. A Bonneville Power Authority utility easement splits the property along a east west axis.

10. Conclusion: The subject property is not adequately served by parks. The northern portion of the property is outside the 1/2 mile neighborhood park service area. The Park Master Plan indicates the need for parkland in this area. The developer has had discussions with City and School District staff concerning this requirement.

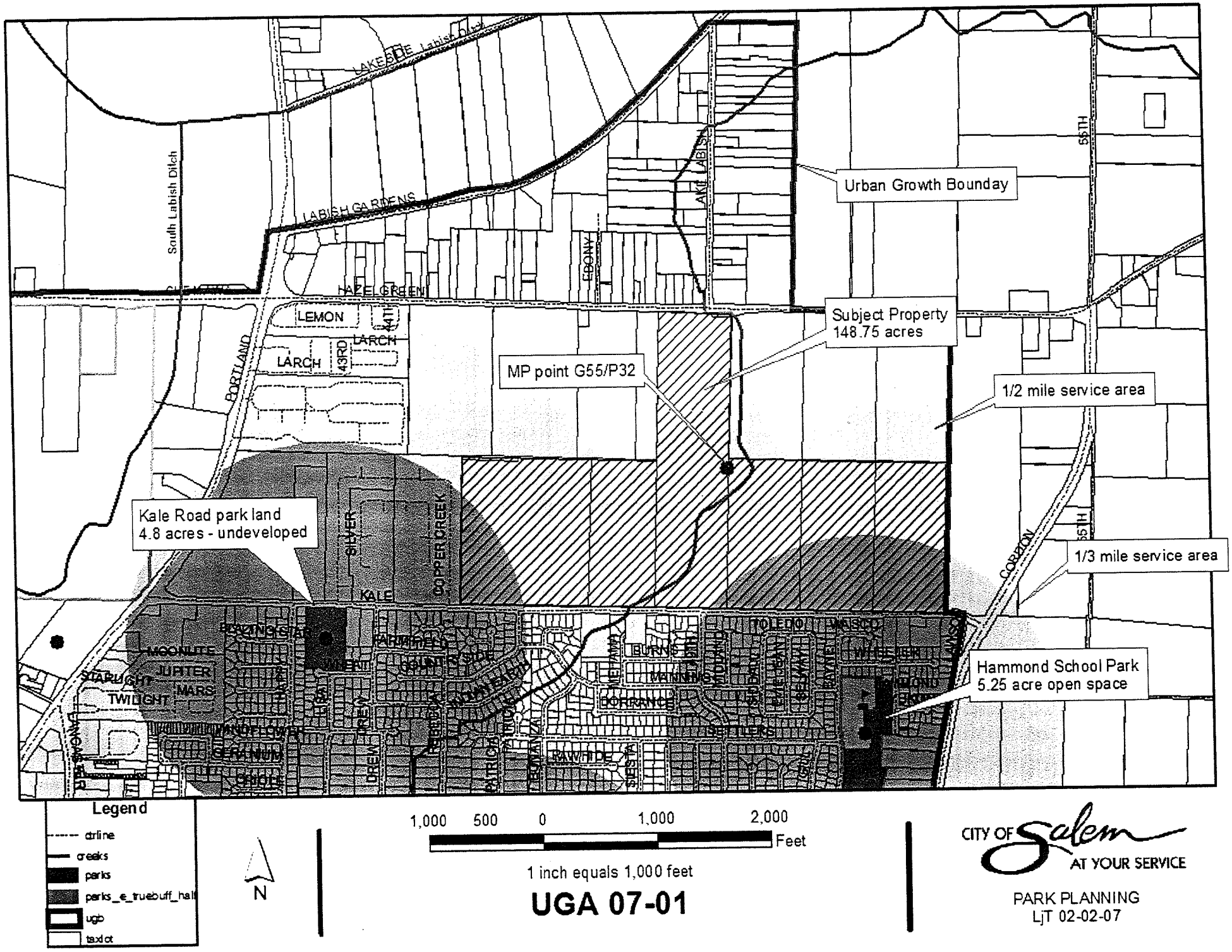
RECOMMENDATIONS:

1. Based on the policies of the Comprehensive Park System Master Plan, the provisions of SRC 66.125, and the findings above, 6.9 acres of neighborhood park land (or approximately that size depending on the final subdivision layout), and an access route or other park linkages are needed to serve the subject property. Title to a platted, future neighborhood park in this service area shall be paid for and transferred to the City prior to or simultaneously with the recording of the plat for the final phase of the Northstar Subdivision. This condition may be met by providing a 6.9 acre neighborhood park on the subject property or, on approval of a joint use agreement for a site between the City of Salem and the Salem-Keizer School District, co-locating a 6.9 acre neighborhood park with a new

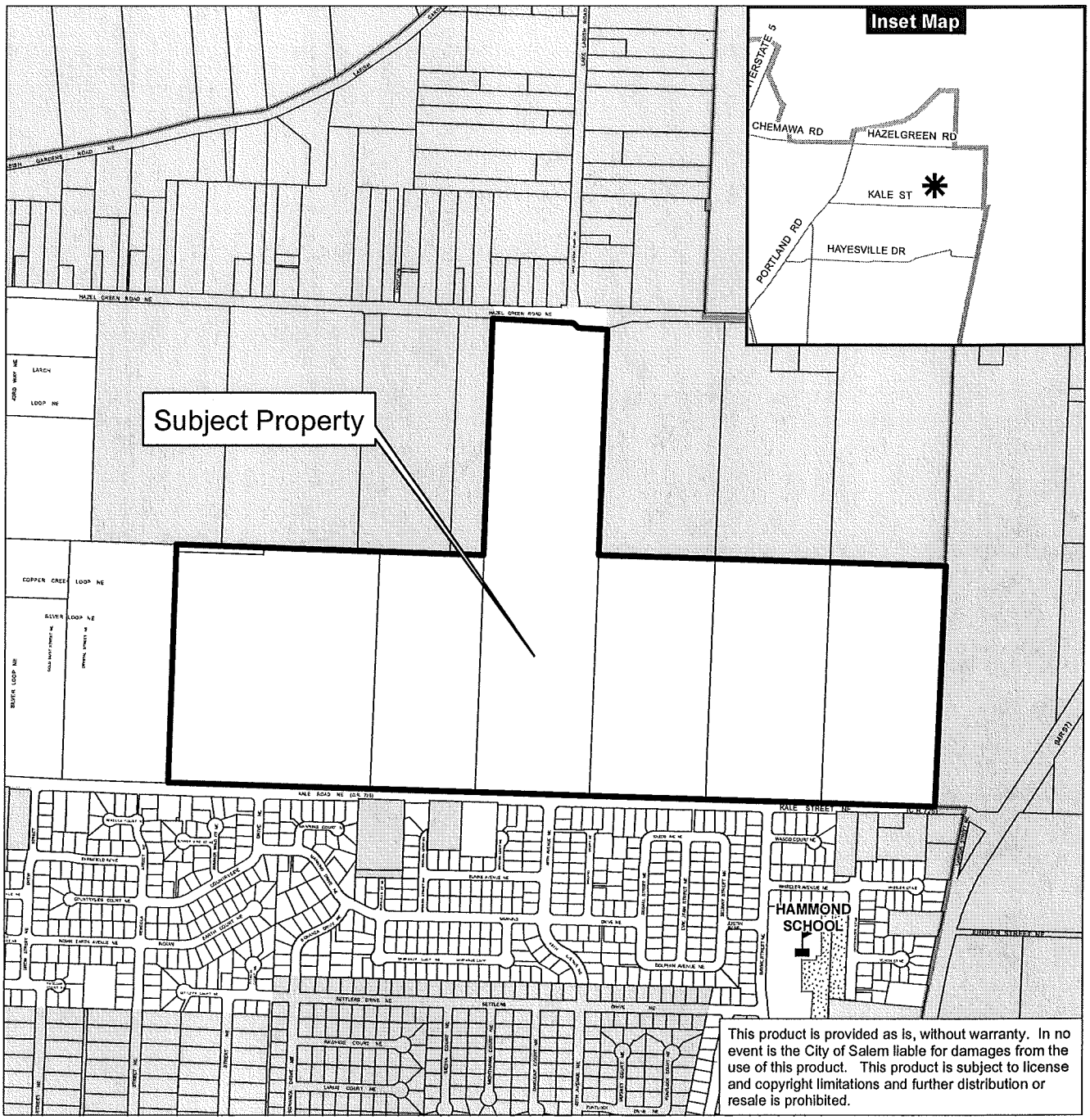
elementary school on the subject property.

2. The above condition will not apply if the City acquires adequate neighborhood park acreage elsewhere in the vicinity to serve the property's park need.

Encl.: Map


Urban Growth Bounday
Subject Property
148.75 acres
MP point G55/P32
1/2 mile service area
1/3 mile service area
Kale Road park land
4.8 acres - undeveloped
Hammond School Park
5.25 acre open space
LAKESIDE
South Labish Ditch
LABISH GARDENS
HAZEL GREEN
LEMON
LARCH
43RD
PORTLAND
EBONY
55TH
SILVER
COPPER CREEK
KALE
GORDON
TOLEDO
MOONLITE
JUPITER
STARLIGHT
MARS
TWILIGHT
BURNS
LORRAINE
SETTLERS
RAWHIDE
SIESTA
Legend
ctrline
creeks
parks
parks_e_truebuff_half
ugb
taxlot
1,000 500 0 1,000 2,000
Feet
1 inch equals 1,000 feet
N
UGA 07-01
CITY OF Salem
AT YOUR SERVICE
PARK PLANNING
LjT 02-02-07

Vicinity Map
Kale Road NE



Legend

- Outside Salem City Limits
- Urban Growth Boundary
- Taxlots
- Schools
- Parks

0 205 410 820 Feet

CITY OF Salem

N:\CD\Proj\CP\Vicinity_Maps\kale_rd_ne.mxd - 10/30/2006 @ 10:18:27 AM

EXHIBIT 3

4519

RECEIVED BY
MULTI TECH ENGINEERING
DEC 20 2007

SUBDIVISION REVIEW COMMITTEE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

ISSUE: Northstar Subdivision Plat No. 07-13 Amendment

DATE OF DECISION: December 18, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To modify conditions of approval 12, 17, and 20 of tentative subdivision number 07-13 (approved September 28, 2007), for property zoned RS (Single Family Residential), RM1 (Multiple Family Residential), and RM2 (Multiple Family Residential) and generally located within the 4400-5200 blocks of Kale Road NE.

ACTION:

IT IS HEREBY ORDERED

That Amendment to Subdivision Plat No.06-20 to divide approximately 25.86 acres into 103 lots with lots ranging in size from 5,314 square feet to 14,394 square feet in an RA (Residential Agriculture) zone and divide approximately 6.96 acres into a 62-lot townhouse development in an RM2 (Multiple Family Residential) zone with lot sizes ranging from 2,580 square feet to 7,210 square feet; with two concurrent variances: 1) to allow the finished street grades within the subdivision to exceed 12 percent (SRC 63.255(b)); and 2) to permit proposed Lots 1, 4, 5, 22 through 27, and 30 through 41 to be less then the 120-foot depth required for double frontage lots (SRC 63.145(b)) for property located at 1746 Davis Road S and 5991 Liberty Road S shall be GRANTED subject to SRC Chapters 63, 145, and 148 and the following conditions:

PRIOR TO FINAL PLAT:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North

Segment	Lot Number	Front Lot Line
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazelgreen Road crossing.

Condition 12: ~~Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.~~

Prior to any construction activity in Segments J or K, the applicant shall meet with Marion County to explore the availability of funding from the East Salem Service District, City of Keizer and the City of Salem, for a regional storm water detention facility. The results of said meeting to be provided to City of Salem Public Works.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazelgreen Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazelgreen Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: ~~Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by the Public Works Director, either:~~

~~a. Construct curb, sidewalks, and gutter as specified in the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or~~

~~b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.~~

Construct curbs along both sides of Kale Road NE's existing right-of-way and construct sidewalk along the north side of Kale Road NE from the east boundary of the subject property to Portland Road NE.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: ~~Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.~~

The applicant shall obtain a Major Construction permit from Marion County to construct a left-turn refuge, designed to Marion County Standards, on Cordon Road NE at the intersection with Kale Road NE. The improvements shall be constructed or bonded prior to plat approval for Segments H or I. A copy of the permit shall be furnished to City of Salem Public Works Department.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazelgreen Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: October 15, 2007
State Mandated Decision Date: February 12, 2008
Decision Date: December 18, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

The Findings and Order of the Subdivision Review Committee for Subdivision 07-13A, dated December 18, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the applicants must complete the conditions listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the applicants from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **January 2, 2008, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

Case Planner: Caroline Berry, Senior Planner, Ext. 7556, cberry@cityofsalem.net

4519

Planning

RECEIVED BY
MULTI TECH ENGINEERING

OCT 01 2007

SUBDIVISION REVIEW COMMITTEE

PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

City of Salem AT YOUR SERVICE

ISSUE: Northstar Subdivision Plat No. 07-13

DATE OF DECISION: September 28, 2007

APPLICANT: Larry Epping of the Granada Land Company

PURPOSE OF REQUEST:

To divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE.

ACTION:

IT IS HEREBY ORDERED

The request to divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Maps 062W32C and 062W32D, tax lots 200, 800, 900, 1000, 1100, and 701) is hereby GRANTED subject to SRC Chapters 63 and 146 and the following additional conditions, to be satisfied prior to final plat approval, unless otherwise indicated:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North
H	437	North

Segment	Lot Number	Front Lot Line
H	448	North
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazel Green Road crossing.

Condition 12: Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazel Green Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazel Green Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by Public Works Director, either:

a. Construct curb, sidewalks, and gutter as specified the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or

b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazel Green Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: July 2, 2007
State Mandated Decision Date: October 30, 2007
Decision Date: September 28, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

The Findings and Order of the Subdivision Review Committee for Subdivision 07-13, dated September 28, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the Applicant must complete the conditions listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the Applicant from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **October 15, 2007, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

Case Planner: Garrett Stephenson, Associate Planner, Ext. 7556, gstephenson@cityofsalem.net

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

CITY OF Salem AT YOUR SERVICE

Si necesita ayuda para comprender esta informacion, por forvor llame 503-588-6173

ADMINISTRATIVE DECISION FOR MODIFICATION OF TENTATIVE SUBDIVISION PLAN

CASE NO.:	SUB07-13A2
AMANDA NO.:	17-109611-LD
DATE OF DECISION :	May 24, 2017
PROPERTY LOCATION:	4400-5200 Block of Kale Road NE
APPLICANT:	Northstar Communities LLC

REQUEST

Modification of the amended approval of tentative subdivision plan SUB07-13A (Northstar subdivision) to reconfigure the boundaries between lot groupings described as "segments" in the tentative subdivision plan. SUB07-13A granted approval to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 729 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). The requested modification does not change the street layout or number or configuration of single family residential lots within the subdivision.

Urban Growth Preliminary Declaration UGA07-01 was granted in association with the subdivision and, pursuant to SRC 200.025(g)(1), remains in effect as long as SUB07-13A remains valid.

The subject property is approximately 148.74 acres in size, zoned RS (Single Family Residential) and RM-1 and RM-2 (Multiple Family Residential), and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map and Tax Lot Numbers 062W32C 00200; 00800; 00900; 1000; and 062W32D 00701 and 01100).

DECISION

The requested modification of the tentative subdivision plan is APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in the approval of amended tentative subdivision plan SUB07-13A and amended Urban Growth Area Preliminary Declaration UGA07-01, unless otherwise indicated.

BACKGROUND

On December 18, 2007, the Subdivision Review Committee approved amendments to the Northstar subdivision, a proposal to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 730 lots and concurrent

variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). Urban Growth Preliminary Declaration UGA07-01 was granted in association with the Northstar tentative subdivision plan. Two-year extensions of the amended approval were granted in 2009, 2011, 2013, and 2015. The most recent extension is set to expire on December 18, 2017.

As originally approved, the tentative subdivision plan divides the overall 729-lot development into 11 "segments" labeled "A" through "K" and consisting of between 38 and 131 lots each. Although the segments are related to incremental platting of the subdivision, these segments are not "phases" and the Northstar subdivision is not a phased tentative subdivision plan as described in SRC 205.015. As described in the original Subdivision Review Committee decision approving SUB07-13, the segments "are not phases as no particular order has been proposed for their development and each segment must be individually reviewed for applicable development standards."

The tentative subdivision plan approved in SUB07-13A included six different platting alternatives. One set of alternatives allows for flexibility to address Department of State Lands requirements for the portion of the North Fork of the Little Pudding River running through the subject property. Another set of alternatives applies to different configurations for Segments J and K, which approximately occupies the northern half of Tax Lot 200, in a "panhandle" extending northward to Hazelgreen Road NE. One option would divide the entire area into single family residential lots; the "school/park option" would reserve approximately 11.23 acres for a combined elementary school and park; and the "park option" would provide approximately 6.92 acres for a park site. Either the "school/park option" or the "park option" would also include single family residential lots on the remainder of the "panhandle" area.

FINDINGS

The subject property is located at the 4400-5200 Blocks of Kale Road NE (Attachment A). On December 18, 2007, the Subdivision Review Committee approved amendments to the Northstar subdivision (SUB07-13A), a proposal to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 730 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). UGA07-01 was issued in connection with the Northstar tentative subdivision plan (SUB07-13).

The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final subdivision plat.

Amended subdivision SUB07-13A was approved in 2007 under the requirements of former SRC Chapter 63 (Subdivisions). Since that time, the City's zoning and development codes were amended as part of the City's Unified Development Code (UDC) project. The UDC was a multi-year project to update the City's zoning and development codes to make them easier to understand and administer. The intent of the project was to reorganize and streamline, but not to make major policy changes to

existing standards and criteria. The standards and criteria applicable to subdivisions were included in the standards and criteria updated as part of the UDC. However, because the UDC was not intended to make policy changes, none of those revisions have required modification of the original subdivision approval. Minimum lot size and dimensions, street standards, and other requirements applicable to the subdivision remain the same.

As described above, the Northstar subdivision is not a phased subdivision but a single tentative subdivision plan consisting of defined "segments" which can be platted in any order. On this basis, the applicant may plat several segments at once, but cannot plat an incomplete portion of an individual segment. The requested modification would reconfigure boundaries between segments, resulting in changes to the number of lots in each segment as described in the table below.

	Approved Lots	Proposed Lots	Net Change
A	115	50	-65
B	45	66	+21
C	84	44	-40
D	59	70	+11
E	71	67	-4
F	57	100	+43
G	61	55	-6
H	81	131	+50
I	56	46	-10
J	38	38	0
K	62	62	0

As described above, the tentative subdivision plan also approves "options" with alternative configurations for Segments C, J, and K.

A final plat has not been approved or recorded for the tentative subdivision as originally proposed. No changes to the number or configuration of lots are proposed, and points of access to the existing street network would remain the same.

1. Criteria for Modification of the Approval of a Tentative Subdivision Plan (SRC 205.070(d)):

SRC 205.070(d) establishes the following approval criteria for modification of the approval of a tentative subdivision plan:

(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and

(2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

2. Analysis of Modification Approval Criteria:

SRC 205.070(d)(1): The proposed modification is not substantially inconsistent with the conditions of the original approval.

Finding: As originally approved, the Northstar tentative subdivision plan would divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 729 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). The Subdivision Review Committee approved the application (Case No. 13-07) and a subsequent amendment (Case No. SUB13-07A), subject to 24 conditions of final plat approval (Attachment B). In addition, Condition 1 requires the final plat to comply with the four conditions of approval of Comprehensive Plan and Zone Change case CPC-ZC05-12, and Condition 22 requires compliance with the 10 conditions of approval for Urban Growth Preliminary Declaration case UGA07-01.[1]

Condition 9 designates the front lot line for flag lots within the proposed subdivision, as listed in a table contained within the condition. Although the modification may change the segment of some lots from what is listed in the table, the numbering of lots spans the entire tentative subdivision plan. The requested modification does not alter the identification of the applicable lots by lot number.

Implementation of Condition 12 is implemented by any construction activity in Segments J or K. Similarly, Condition 20 must be met prior to plat approval for Segments H or I. The configuration and boundaries of Segments J and K remain unchanged under the requested modification. In the originally approved tentative subdivision plan, Segments H and I contain the easternmost 137 lots within the overall Northstar subdivision. The requested modification would extent the boundaries of these segments slightly to the west, to encompass a total of 186 lots. All lots contained within the originally approved Segments H and I remain within one of these segments under the proposed modification. As result, the platting of lots which serves as the trigger for the transportation improvements required in Condition 20 remain unchanged under the configuration of segment boundaries requested in the modification.

Because they can be platted in any order, segments were reviewed and approved to comply with standards as standalone plats. Therefore, with the exception of Conditions 12 and 20 described above, conditions do not specifically depend on sequencing of development to implement applicable requirements.

The Public Works Department has reviewed the proposed modification and submitted comments (Attachment D) finding that the modification is in substantial conformance with the conditions of approval adopted in SUB07-13A and clarifying the applicable segments for implementation of conditions adopted in UGA07-01, consistent with the reconfigured segment boundaries proposed in the subject modification. The modification does not inhibit the applicant from fulfilling other conditions incrementally, as the subdivision is developed under the modified configuration.
The proposal meets this criterion.

SRC 205.070(d)(2): The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

---

[1] Comments from the Public Works Department (included as Attachment D) address the conditions of UGA07-01 as "UGA Condition A" through "UGA Condition G," corresponding to lettered headings in the June 25, 2007 decision approving UGA07-01.

Finding: The applicant does not propose to change the use of the site, which would be subdivided into lots for single family residential development, with park and school sites included in optional configurations. The applicant's proposal retains the same street and lot layout as approved for the tentative subdivision plan. The Tree Conservation Plan (TCP07-17) approved for the tentative subdivision plan is not altered by the requested modification and would remain in effect. The variances granted in SUB07-13 are addressed in the Subdivision Review Committee's decision and are not altered by the reconfigured segments proposed in this modification.

The physical appearance of the completed development would remain essentially the same as originally proposed, with no changes to the internal street system or lot configuration on the perimeter of the property. Because of the very similar configuration and identical use of the eventual completed subdivision, the requested modification would not increase or otherwise change impacts on surrounding properties.

The proposal meets this criterion.

3. **Effect on Expiration Period of Original Approval:**

Pursuant to SRC 205.070(e), "the effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision."

Finding: Condition 6 of SUB07-13A requires that the final plat for the entirety of the tentative subdivision plan be platted within 10 years of the date of final plat approval. The applicant's written statement cites unforeseen circumstances which have to date prevented the platting of any segment of the tentative subdivision. The ten-year span approved for recording the original subdivision recognizes the scale and complexity of implementing a mixed-use subdivision of this size, as well as the further coordination needed to provide public facilities within Segments J and K. While the tentative subdivision plan remains non-phased under the requested modification, the overall size of the development, the incremental approach to platting indicated by the "segments" of lots designated by the applicant, and the complexity of the proposal as described above, additional time is warranted to complete final platting of all proposed segments.

Consistent with the two-year deadline established for recording the final plat for a tentative subdivision plan, the expiration date of the modified subdivision is hereby extended by two years, to December 18, 2019. Recognizing the incremental platting proposed by the applicant, the size and complexity of the overall development, and findings in both SUB07-13A and this modification decision that the "segments" designated by the applicant meet applicable standards on an individual basis, the applicant is permitted to apply for up to four further extensions of the expiration date, in two year increments, with the final extension expiring no later than December 18, 2027.

Pursuant to SRC 200.025(g), a UGA Preliminary Declaration issued in connection with a subdivision shall remain valid as long as the tentative subdivision approval remains valid. Therefore, UGA07-01 and its terms and conditions would remain in effect for the duration of the subject modification and any subsequent extensions.

DECISION

The requested modification of the amended tentative subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in the approval of tentative subdivision plan SUB07-13A and UGA07-01 as previously amended, unless otherwise indicated.

Christopher Green, AICP, Planner II
Planning Administrator Designee

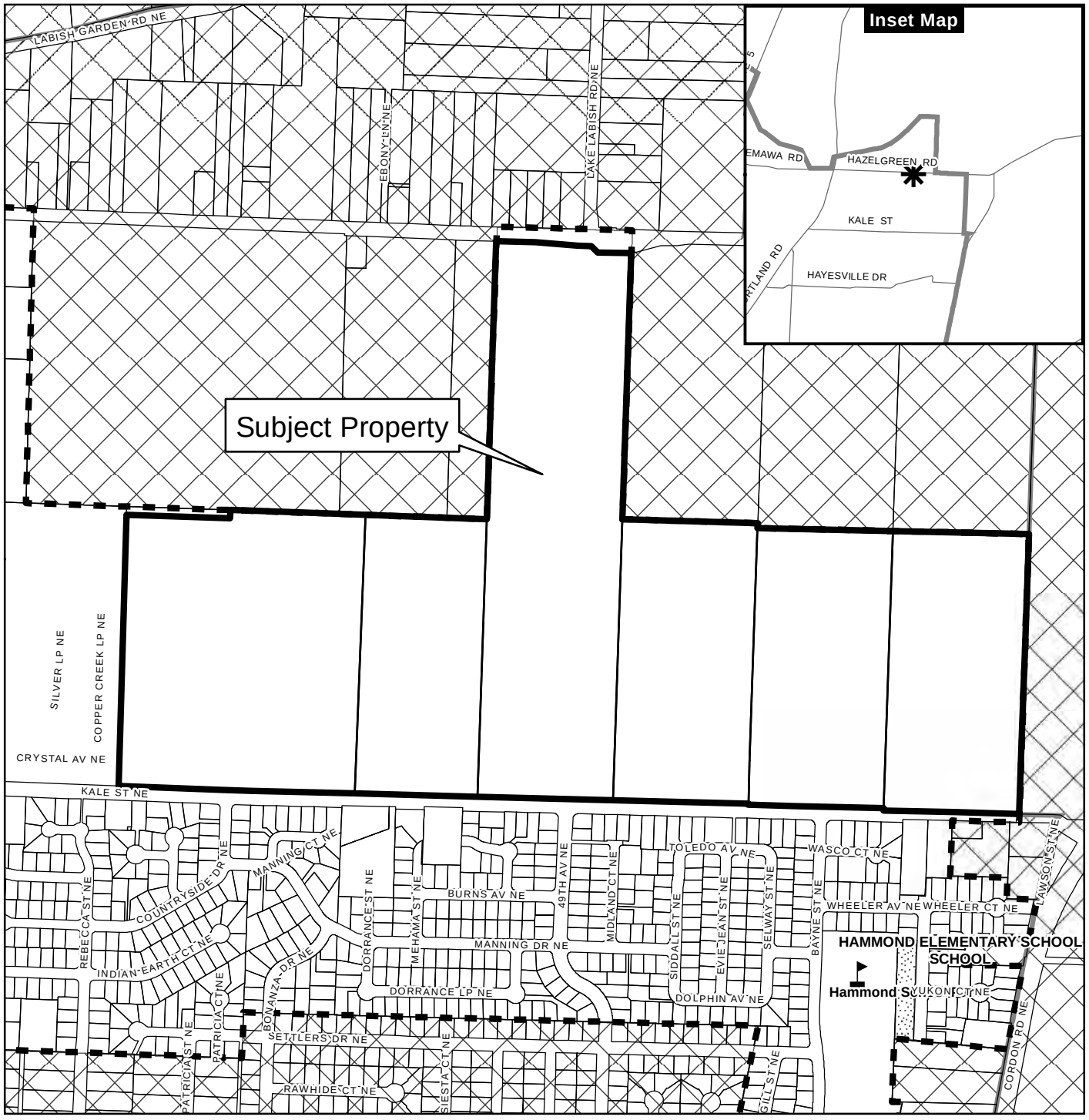
Attachments:
A. Vicinity Map
B. Subdivision Review Committee decision approving SUB07-13A
C. Site Plan for Modified Subdivision
D. Public Works Department comments
E. Planning Commission decision approving CPC-ZC05-12
F. UGA Development Review Committee decision approving UGA07-1

cc: Alan Kessler, GIS

G:\CD\PLANNING\CASE APPLICATION Files 2011-On\SUBDIVISION\2017\Decision-Order Documents\SUB07-13A2.cjg.doc

ATTACHMENT A

Vicinity Map
4400-5200 Block of Kale Road NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet

CITY OF Salem AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

G:\CD\PLANNING\Chris Green\LD - Land Division\SUB07-13A2 - 4400-5200 Blk. Kale Rd. NE\17-106911-LD-MAP.mxd - 5/24/2017 @ 11:59:30 AM

4519

ATTACHMENT B

RECEIVED BY
MULTI TECH ENGINEERING
DEC 20 2007

SUBDIVISION REVIEW COMMITTEE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

ISSUE: Northstar Subdivision Plat No. 07-13 Amendment

DATE OF DECISION: December 18, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To modify conditions of approval 12, 17, and 20 of tentative subdivision number 07-13 (approved September 28, 2007), for property zoned RS (Single Family Residential), RM1 (Multiple Family Residential), and RM2 (Multiple Family Residential) and generally located within the 4400-5200 blocks of Kale Road NE.

ACTION:

IT IS HEREBY ORDERED

That Amendment to Subdivision Plat No.06-20 to divide approximately 25.86 acres into 103 lots with lots ranging in size from 5,314 square feet to 14,394 square feet in an RA (Residential Agriculture) zone and divide approximately 6.96 acres into a 62-lot townhouse development in an RM2 (Multiple Family Residential) zone with lot sizes ranging from 2,580 square feet to 7,210 square feet; with two concurrent variances: 1) to allow the finished street grades within the subdivision to exceed 12 percent (SRC 63.255(b)); and 2) to permit proposed Lots 1, 4, 5, 22 through 27, and 30 through 41 to be less then the 120-foot depth required for double frontage lots (SRC 63.145(b)) for property located at 1746 Davis Road S and 5991 Liberty Road S shall be GRANTED subject to SRC Chapters 63, 145, and 148 and the following conditions:

PRIOR TO FINAL PLAT:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North

Segment	Lot Number	Front Lot Line
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazelgreen Road crossing.

Condition 12: ~~Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.~~

Prior to any construction activity in Segments J or K, the applicant shall meet with Marion County to explore the availability of funding from the East Salem Service District, City of Keizer and the City of Salem, for a regional storm water detention facility. The results of said meeting to be provided to City of Salem Public Works.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazelgreen Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazelgreen Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: ~~Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by the Public Works Director, either:~~

~~a. Construct curb, sidewalks, and gutter as specified in the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or~~

~~b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.~~

Construct curbs along both sides of Kale Road NE's existing right-of-way and construct sidewalk along the north side of Kale Road NE from the east boundary of the subject property to Portland Road NE.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: ~~Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.~~

The applicant shall obtain a Major Construction permit from Marion County to construct a left-turn refuge, designed to Marion County Standards, on Cordon Road NE at the intersection with Kale Road NE. The improvements shall be constructed or bonded prior to plat approval for Segments H or I. A copy of the permit shall be furnished to City of Salem Public Works Department.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazelgreen Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: October 15, 2007
State Mandated Decision Date: February 12, 2008
Decision Date: December 18, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

The Findings and Order of the Subdivision Review Committee for Subdivision 07-13A, dated December 18, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the applicants must complete the conditions listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the applicants from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **January 2, 2008, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

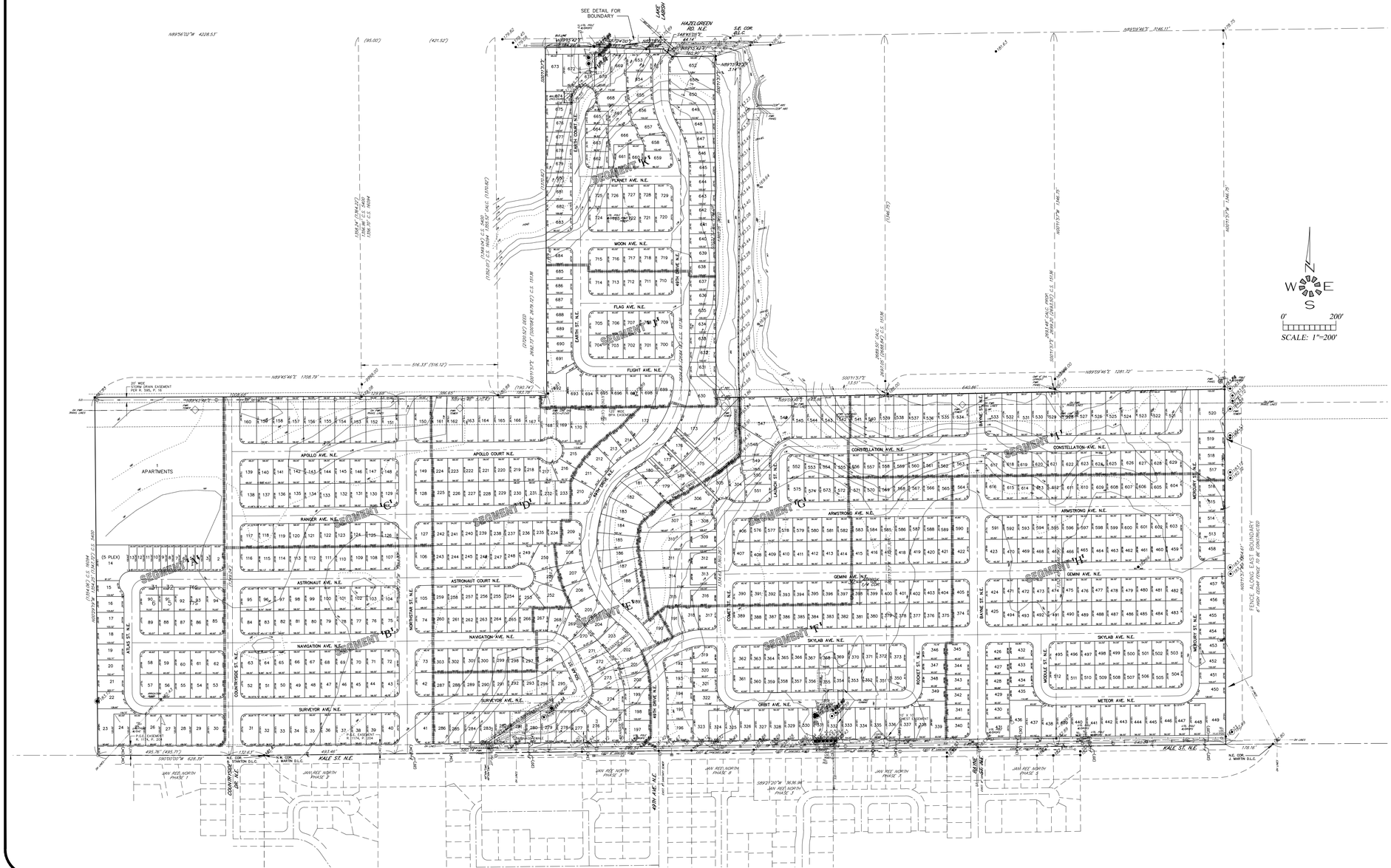
A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

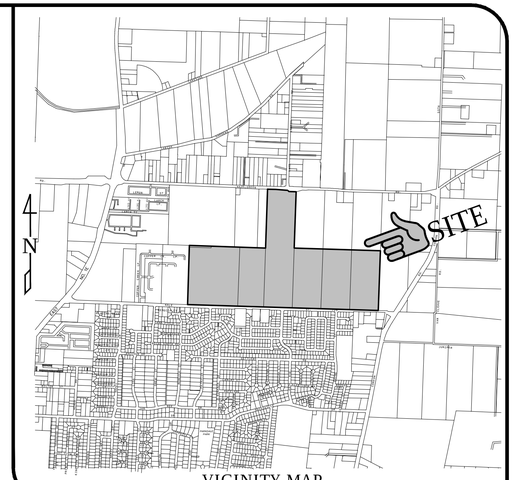
Case Planner: Caroline Berry, Senior Planner, Ext. 7556, cberry@cityofsalem.net

ATTACHMENT C

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





VICINITY MAP

Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

NUMBER OF LOTS BY OPTION

OPTION 1	(LOTS ONLY)	729
OPTION 2	(W/ PARK AND SCHOOL)	669
OPTION 3	(W/ PARK ONLY)	694

NUMBER OF LOTS BY SEGMENT

	PROPOSED	ORIGINAL
SEGMENT 'A'	50	115
SEGMENT 'B'	66	45
SEGMENT 'C'	44	84
SEGMENT 'D'	70	59
SEGMENT 'E'	67	71
SEGMENT 'F'	100	57
SEGMENT 'G'	55	61
SEGMENT 'H'	131	81
SEGMENT 'I'	46	56
SEGMENT 'J'	38	38
SEGMENT 'K'	62	62

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg/PLOT:1 P1-PRE

Design:	M.D.G.
Drawn:	P.H.S.
Checked:	M.D.G.
Date:	MARCH 2017
Scale:	AS SHOWN
As-Built:	

NORTHSTAR

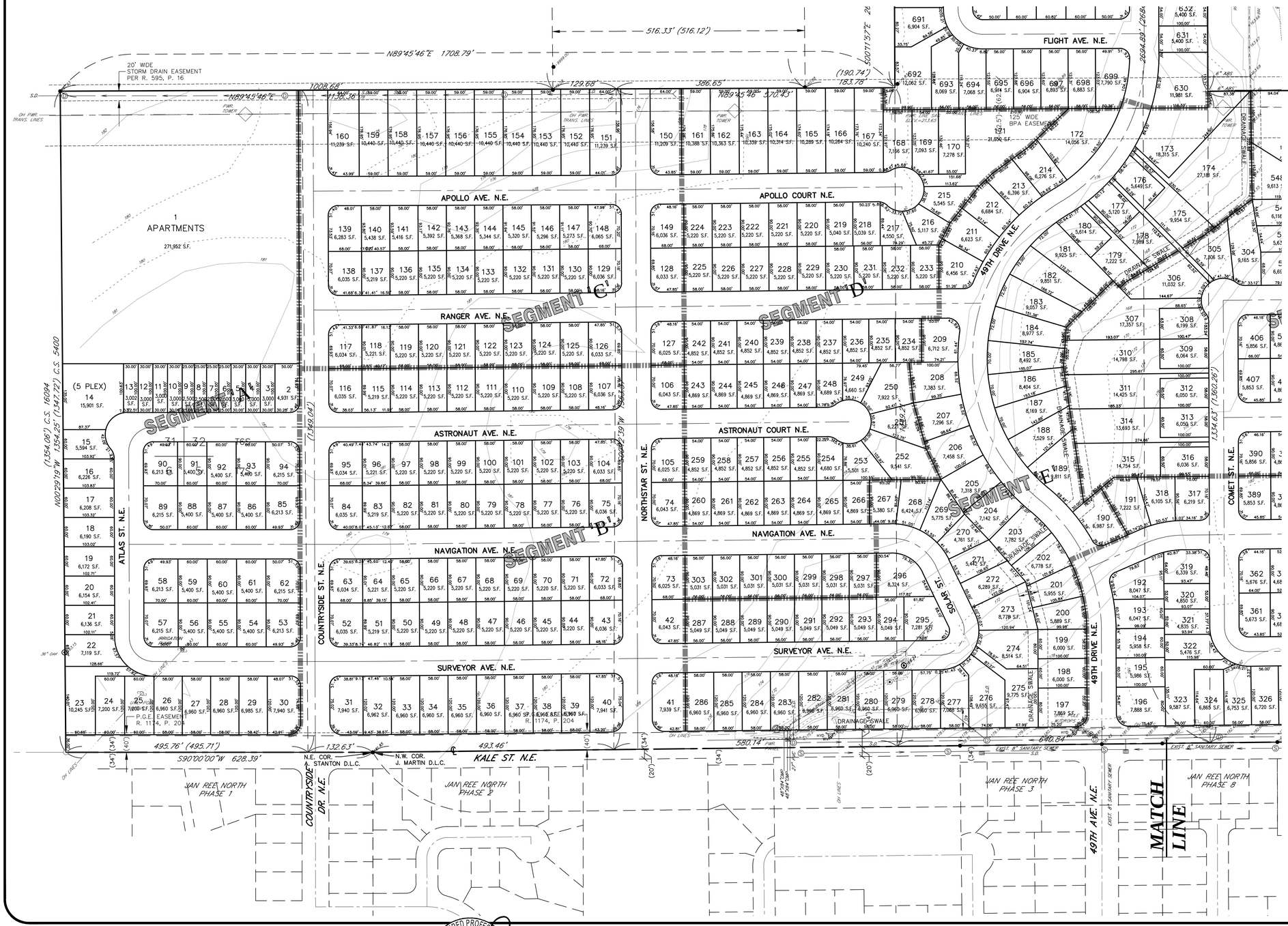
PRELIMINARY PLAN

Drawing Number 6474
Sheet Number 1 of 6

J:\6400-6499\6474-Northstar\Dwg\6474REV.dwg, P1-PRE, 5/17/2017 10:01:05 AM, Pfeuffer

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER 9664 OREGON JULY 14, 1978 MARK D. GRENZ

EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg/PLOT: 1 P2-PRE

Design:	M.D.G.
Drawn:	P.H.S.
Checked:	M.D.G.
Date:	MARCH 2017
Scale:	AS SHOWN
As-Built:	

NORTHSTAR

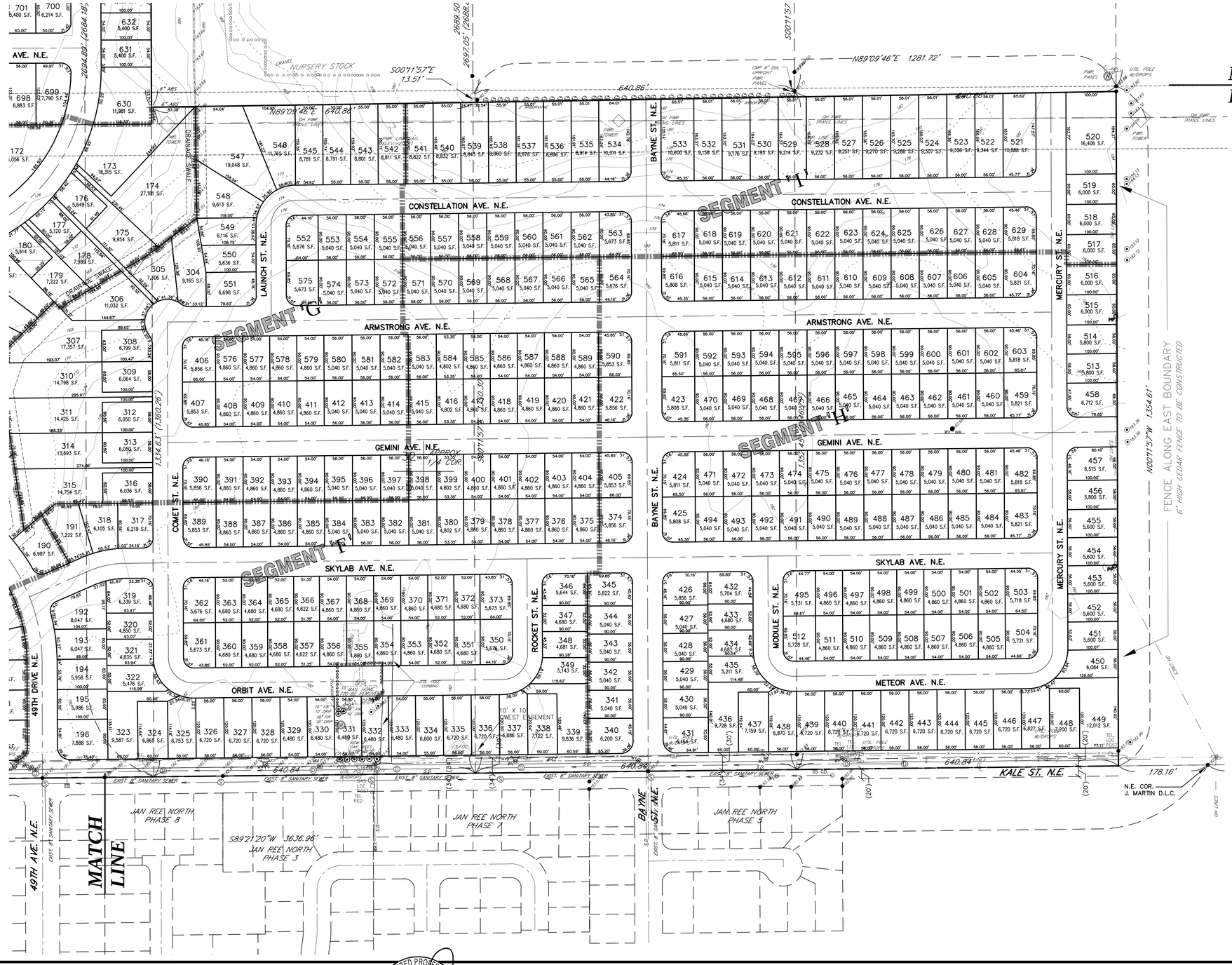
PRELIMINARY PLAN

Drawing Number 6474
Sheet Number 2 of 6

J:\6400-6499\6474-Northstar\Dwg\6474REV.dwg, P2-PRE, 5/17/2017 10:01:11 AM, Pkeaders

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MATCH LINE

Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED
NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

J:\6400-6499\6474 Northstar\Dwg\6474REV.dwg, 3-PRE, 5/17/2017 10:01:15 AM, Pfaenders

6474REV.dwg/PLOT:1 P3-PRE

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: MARCH 2017
Scale: AS SHOWN
As-Built: _____

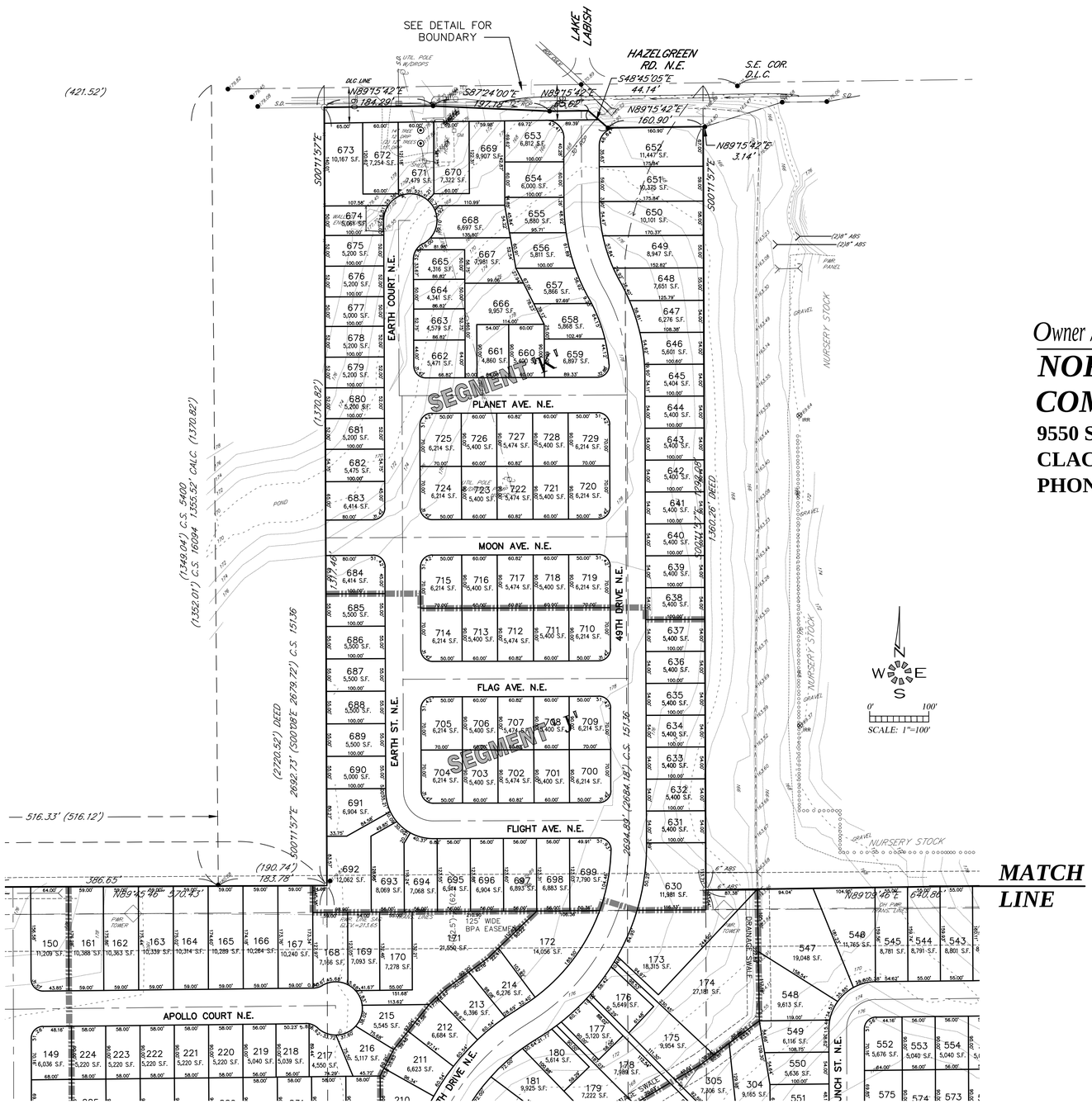
NORTHSTAR

PRELIMINARY PLAN

Drawing Number 6474
Sheet Number 3 of 6

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 24, 1976
MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg/PLOT:1 P4-PRE

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: MARCH 2017
Scale: AS SHOWN
As-Built:

NORTHSTAR

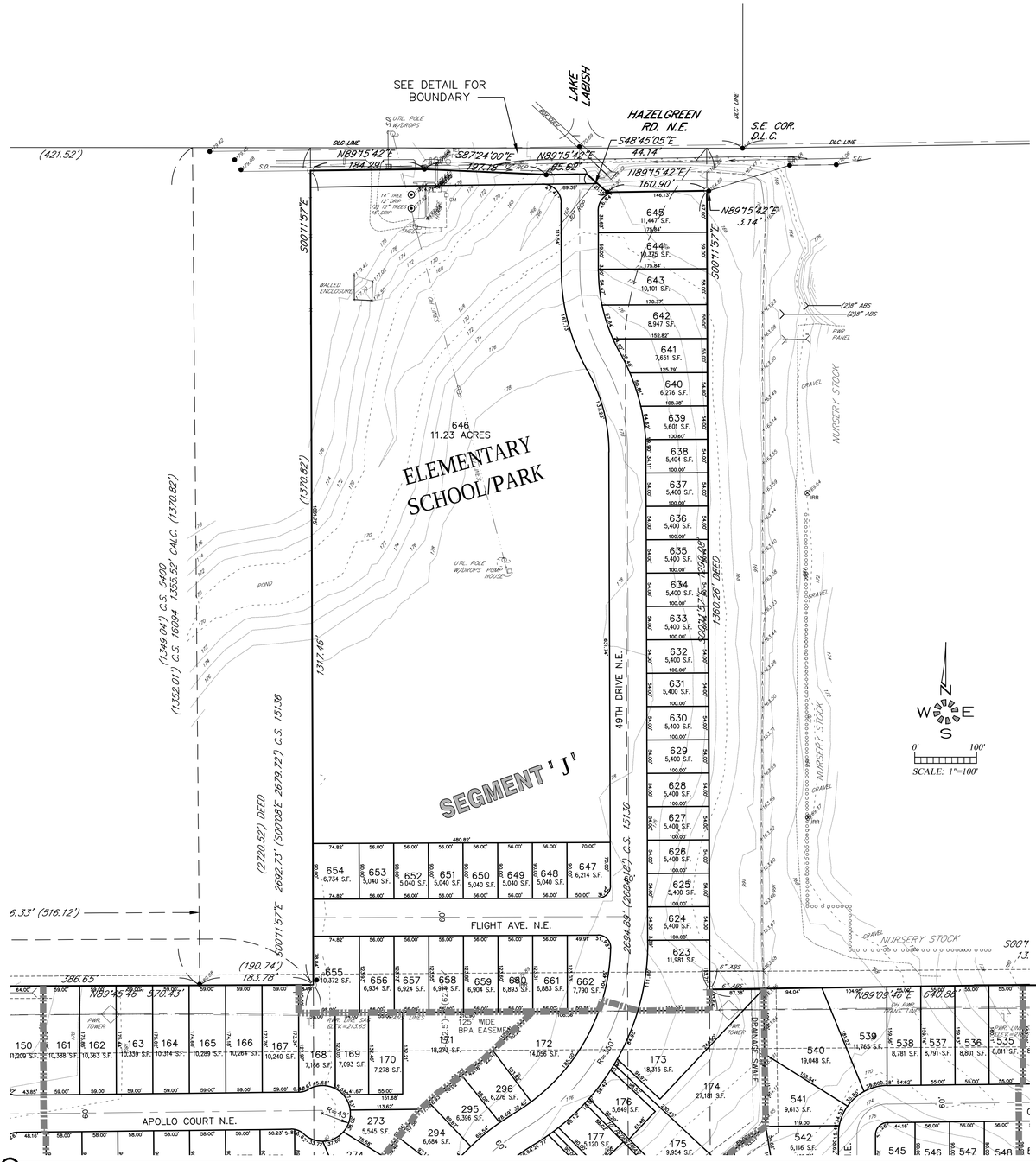
PRELIMINARY PLAN

Drawing Number 6474
Sheet Number 4 of 6

J:\6400-6499\6474 Northstar\Dwg\6474REV.dwg, P4 PRE, 5/17/2017 10:01:18 AM, PSanders

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED
NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER 9954 OREGON JULY 14, 1978 MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg / PLOT: 1 P6-PRE

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: MARCH 2017
Scale: AS SHOWN
As-Built:

NORTHSTAR

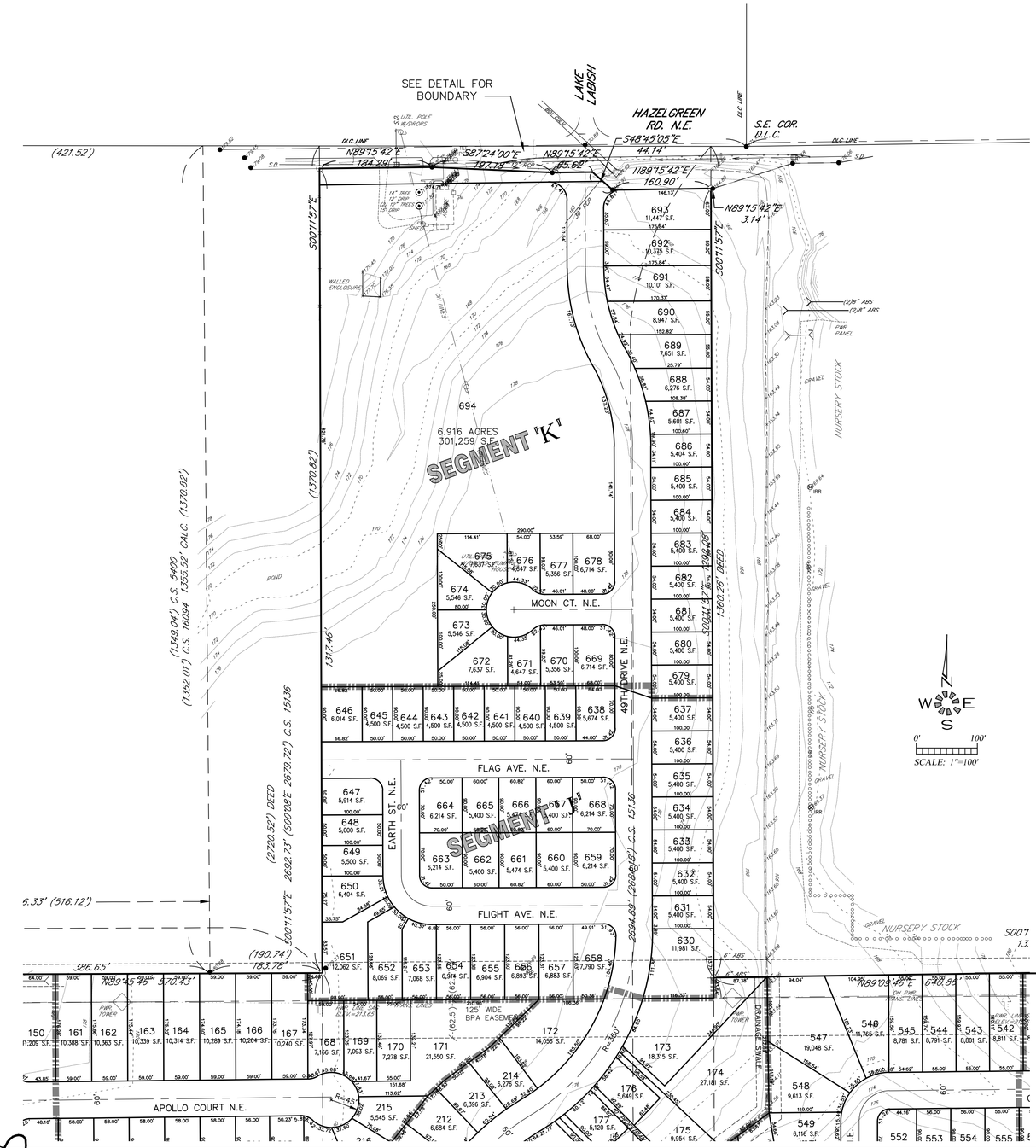
SCHOOL / PARK OPTION

Drawing Number 6474
Sheet Number 5 of 6

J:\6400-6499\6474 Northstar\Dwg\6474REV.dwg, P5-PRE, 5/17/2017 10:03:21 AM, Pstoddert

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MATCH LINE

Owner / Developer:

NORTHSTAR COMMUNITIES L.L.C.
9550 SE CLACKAMAS RD.
CLACKAMAS, OREGON 97015
PHONE: (503) 655-7933

PROPOSED MODIFICATION

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.multitech.ws office@multitech.ws

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED
NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 14, 1978 — MARK D. GRENZ
EXPIRES: 06-30-2019

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6474REV.dwg /PLOT: 1 P6-PRE

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: MARCH 2017
Scale: AS SHOWN
As-Built: _____

NORTHSTAR

PARK
OPTION

Drawing Number 6474
Sheet Number 6 of 6

J:\6400-6499\6474 Northstar\Dwg\6474REV.dwg, P6-PRE, 5/17/2017 10:03:25 AM, Pixeadmn

ATTACHMENT D

CITY OF Salem AT YOUR SERVICE

MEMO

TO: Chris Green, Planner II
Community Development Department

FROM: Lyle J. Misbach, PE, Assistant Chief Development Engineer
Public Works Department

DATE: May 24, 2016

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
SUBDIVISION PLAT NO. 07-13 AMENDMENT (17-109611-LD)
4400 KALE STREET NE
SUBDIVISION EXTENSION

PROPOSAL

Modification of Amended Approval of Northstar Subdivision (SUB07-13A).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Urban Growth Area Development (UGA) Permit—Comply with the conditions of UGA Preliminary Declaration 07-1 issued June 25, 2007.

2. No direct driveway access shall be allowed onto Kale Road NE or Hazelgreen Road NE.

3. Design and construct a complete storm drainage system at the time of development. The applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not surpass the hydraulic capacity of the Little Pudding River at the Hazelgreen Road NE crossing.

4. Prior to any construction activity in Segments J or K, the applicant will have a meeting with Marion County to explore the availability of funding from the East Salem Service District for a regional storm water detention facility. The results of said meeting will be provided to City of Salem, Public Works Department.

5. Determine the 100-year floodplain flow path along the North Fork Little Pudding River from Kale Road NE to Hazel Green Road NE.

6. Construct the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road NE and connect to the 12-inch

---

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

7. Prior to the creation of the 400th lot, construct improvements at the Portland Road / Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

8. Construct curbs along both sides of Kale Road NE and construct sidewalks along the north side of Kale Road NE from the west boundary of the subject property to Portland Road NE.

9. Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

10. Construct left-turn lanes on Kale Road NE at each of the intersections into the subdivision.

11. Construct a left-turn refuge on Cordon Road NE at the Kale Road NE intersection. The applicant agrees that prior to the creation of the 700th lot, construction plans shall be submitted to Marion County Public Works for review and approval of the proposed improvements. The applicant agrees to obtain a public construction permit from Marion County for the work and to furnish the City of Salem Public Works Department with a copy of said permit.

FACTS

1. Kale Street NE

   a. Existing Condition—Kale Street NE has varied improvements and right-of-way.

   b. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

2. Hazelgreen Road NE

   a. Existing Condition—Hazelgreen Road NE is an under-improved boundary street with an approximate 24-foot turnpike improvement within a varied right-of-way.

   b. Standard—This street is designated as a parkway street in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.

3. 49th Avenue NE

   a. Existing Condition—This collector street has not been extended through the property to date.

   b. Standard—This street is designated as a collector street in the Salem TSP. The standard for this street classification is a 34- to 40-foot-wide improvement within a 60-foot-wide right-of-way, dependent on on-street parking.

Storm Drainage

1. Existing Conditions

   a. The North Fork Little Pudding River crosses through the subject property. There are two large drainage swales that drain into the Little Pudding River.

   b. There are public storm drainage facilities in Kale Road NE.

   c. There is a 36-inch public storm drain line within a 31-foot easement along the north property line that outfalls into the drainage swale within the property.

Water

1. Existing Condition—A 16-inch public water line is located in Kale Street NE.

Sanitary Sewer

1. Existing Sewer—An 18-inch sanitary sewer line is located in Kale Street NE.

CRITERIA AND FINDINGS

SRC 205.070(d) indicates the criteria for a modification that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.070(d)(1)—The proposed modification is not substantially inconsistent with the conditions of the original approval

Finding—The proposal modifies the phase lines only. The modification is in substantial conformance with the original approval conditions.

SRC 205.070(d)(2)—The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties

Finding—The proposed modification does not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Phasing of Preliminary Declaration

The conditions of approval from preliminary declaration 07-01 will be implemented in phases. The basis for phasing is as follows:

UGA Condition A: Kale Street NE Linking Street—The linking street improvement is required as a condition of any phase including Segments A, B, C, D, H, and/or K.

UGA Condition B1: Kale Street NE Boundary Right-of-way—This condition abuts Segments A, B, H, E, and I of the development and is required as a condition of final plat approval of any phase including those Segments.

UGA Condition B2: Kale Street NE Boundary Street—This condition abuts Segments A, B, H, E, and I of the development and is required as a condition of final plat approval for any phase including those Segments. The Kale Street NE improvement width will be determined during construction plan review based on the width needed to accommodate all necessary travel lanes as determined by the Public Works Director.

UGA Condition C1: Hazelgreen Road NE Boundary Right-of-way—This condition abuts Segment K of the development and is required as a condition of final plat approval of any phase including that Segment.

UGA Condition C2: Hazelgreen Road NE Boundary Street—This condition abuts Segment K of the development and is required as a condition of final plat approval of any phase including that Segment.

UGA Condition D1: 49th Street NE Right-of-way—This condition is contained within Segments H, J and K of the development and is required as a condition of final plat approval of any phase including those Segments.

UGA Condition D2: 49th Street NE Street—This condition is contained within Segments H, J and K of the development and is required as a condition of final plat approval of any phase including those Segments. The 49th Street NE improvement width will be determined during construction plan review based on the type of collector street needed as determined by the Public Works Director.

UGA Condition E: Stormwater—Each phase of the development shall be required to design and construct the improvements required to serve that phase and accommodate any upstream phases as determined by the Public Works Director.

UGA Condition F: Water—Each phase of the development shall be required to construct master plan water mains within that phase in an alignment as determined by the Public Works Director.

UGA Condition G: Sewer—Each phase of the development shall be required to design and construct master plan sewer mains within that phase in an alignment as determined by the Public Works Director.

Prepared by: Curt Pellatz, Project Coordinator
cc: File

ATTACHMENT E

PLANNING COMMISSION
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

RESOLUTION NO.: PC 06-18

COMPREHENSIVE PLAN CHANGE/ ZONE CHANGE NO. 05-12

WHEREAS, a petition for Comprehensive Plan Change from

"Industrial" to "Single Family Residential" and "Multiple Family Residential"

and a zone change from

IBC (Industrial Business Campus) and IP (Industrial Park) to RS (Single Family Residential – 132.59 acres), RM1 (Multiple Family Residential – 7.26 acres) and RM2 (Multiple Family Residential – 8.89 acres)

for property located at

4400 - 5200 Blocks of Kale Rd NE

was filed by

Granada Land Company (Larry Epping)

with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed plan was held before the Planning Commission on November 7, 2006, at which time witnesses were heard and evidence received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding including the testimony presented at the hearing, after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact dated November 7, 2006, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

Based upon the foregoing findings and conclusions, it is hereby ordered:

A. That the Salem Area Comprehensive Plan (SACP) map designation change for the subject property from "Industrial" to "Single Family Residential" and "Multifamily Residential" be GRANTED.

B. That the zone change from IP (Industrial Park) and IBC (Industrial Business Campus) to RS (Single Family Residential) and RM1 and RM2 (Multiple Family Residential) for the subject property be GRANTED, subject to the following conditions:

1. The applicant shall dedicate sufficient right-of-way to equal a half-width of 36 feet along Kale Road NE and construct a 23-foot half-street improvement on the development side of Kale Road NE when the property is developed.

2. The applicant shall link the proposed development to adequate water facilities; and adequate sewer facilities.

3. The applicant shall provide a 30-foot wide buffer along the boundary of those properties designated RS (Single Family Residential) to buffer the proposed residential land from Industrial Designated and agriculturally zoned land, respectively. In addition, a sight-obscuring fence shall be required on the eastern boundary on the portion that abuts the urban growth boundary. Those boundaries that abut residentially designated land (RS, RM1 and RM2) shall not be subject to this condition.

4. The applicant shall provide appropriate Multiple Family Residential bufferyards as required by SRC 132 along the periphery of that property designated RM1 or RM2.

ADOPTED by the Planning Commission this 7th day of November, 2006.

President, Planning Commission

APPEAL PERIOD ENDS: November 30, 2006

Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote: YES 5 NO 1 (Bennett) **ABSENT 1** (Wiles)

G:\Group\CD\PLANNING\ACTION\PC Reso 06-18.wpd

ATTACHMENT F

UGA DEVELOPMENT REVIEW COMMITTEE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

ISSUE: Preliminary Declaration for Urban Growth Area Development Permit No. 07-1

DATE OF DECISION: June 25, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To assure that major public facilities such as sewers, water and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program in order to develop the subject property that lies outside the USA (Urban Services Area) in an area without required facilities, and to determine conditions established in the UGA (Urban Growth Area) Development Permit. The proposal is for a multi-family and single-family subdivision on approximately 148.74 acres, zoned RS (Single-Family Residential), RM1 and RM2 (Multi-Family Residential) and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map 062W32C, taxlots 200, 800, 900, 700, and 1000, and 062W32D, taxlots 701 and 1100).

ACTION:

The following is a Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property. The Preliminary Declaration is subject to the terms of Salem Revised Code (SRC) Chapter 66, the Salem Transportation System Plan (STSP), the City of Salem Stormwater Management Master Plan, City of Salem Water System Master Plan, Salem Wastewater Management Master Plan, Public Works Design Standards, Comprehensive Parks System Master Plan, and conditioned on the provision of the public facilities as listed below.

This Preliminary Declaration for a UGA permit addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property (SRC 66.140). All internal facility improvement requirements will be addressed at the time of development of the property. Salem Revised Code (SRC) Chapter 66 '"Urban Growth Management" sets forth the City's authority for imposing linking and boundary facility improvement requirements. A reimbursement district, as defined in SRC 66.500(i), may be established to reimburse the developer for costs as allowed by SRC 66.505. The UGA Preliminary Declaration may be amended as set forth in SRC 66.200. However, as provided in SRC 66.200(d)(2), minor adjustments to the Preliminary Declaration that do not result in conflicts with the Master Plan, may be processed administratively.

The Facts and Findings of the Departments of Public Works and Community Services are attached as Exhibits 1 and 2. The applicant has the responsibility to provide the following facilities pursuant to the requirements of the UGA Development Permit and according to SRC Chapter 66:

A. Linking Street Requirements

The subject property is currently linked to an adequate linking street, Kale Road NE.

The applicant shall construct a linking street improvement in Kale Road NE from the east line of the subject property to Cordon Road NE. The linking street improvement shall include a minimum 34-foot-wide paved improvement within adequate right-of-way to construct the improvement.

B. Boundary Street Requirements

1 Kale Road NE: This street is designated as a *minor arterial* in the Salem Transportation System Plan (STSP). The construction standard for this street is a 46-foot-wide improvement within a 72-foot-wide right-of-way. Currently, this street has a varied improvement and right-of-way along the frontage of the subject property.

a. The applicant shall convey land for dedication for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of centerline adjacent to the subject property.

b. The applicant shall construct a 23-foot half-width improvement on the development side, including street lights and sidewalks, and a 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property.

2. Hazel Green Road NE: This street is designated as a *parkway* in the STSP. The standard construction for this classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way. Hazel Green Road currently has an approximately 24-foot turnpike improvement within right-of-way width that varies between 68 and 118 feet.

   a. The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side.

   b. The applicant shall construct a maximum 40-foot half-width boundary street improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property in an alignment approved by the Director of Public Works. These improvements shall include streetlights and sidewalks.

3. 49th Avenue NE: 49th Avenue is designated as a *collector* street is the STSP and is intended to run north/south. This street is planned to connect Kale Road NE to Hazel Green Road NE in a rough alignment with the existing extent of 49th Avenue NE and Lake Labish Road NE. The *collector* standard for this street depends on the applicant's need for off-street parking. A *Type B collector* requires a 40-foot-wide offset improvement that allows for parking on one side and a *Type A collector* requires a 34-foot improvement but does not allow parking.

   a. The applicant shall convey land for dedication sufficient to equal 60 feet of right-of-way.

   b. The applicant shall construct a minimum 34-foot improvement along the full frontage of the subject property.

C. Traffic Mitigation Requirements

The applicant shall be required to provide a TIA to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report.

D. Storm Drainage Requirements

The subject property is within the Little Pudding Drainage Basin and the North Fork of the Little Pudding River crosses the subject property. There are public storm drain lines and drainage ditches in Kale Road NE. There is also a public storm drain line from the west that outfalls to a drainage ditch that crosses the subject property. This ditch ties into the North Fork of the Little Pudding River at Hazel Green Road NE.

1. The applicant shall submit a drainage study at the time of development, consistent with the Stormwater Management Design Standards as approved by the Public Works Director. The drainage study shall: (1) identify all applicable deficiencies shown on the *Stormwater Master Plan* for the North Fork Little Pudding River from Kale Road SE to the Urban Growth Boundary; (2) specify on-site methods for minimizing stormwater runoff; and (3) identify off-site improvements needed to mitigate stormwater impacts.

2. The applicant shall construct all on-site and off-site improvements needed to mitigate stormwater impacts as specified in the approved drainage study.

E. Water Service Requirements

There is a 16-inch public water line in Kale Road NE, but no public water line in Hazel Green Road NE.

The applicant shall construct *Salem Water System Master Plan* facilities through the subject property within alignments approved by the Director of Public Works:

1. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

2. Extend the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property in an alignment to be approved by the Director of Public Works.

F. Sanitary Sewer Requirements

There is an 18-inch public sanitary sewer line in Kale Road NE. This sewer may not be able to serve to the north portion of the subject property. There is no sanitary sewer line in Hazel Green Road NE.

The applicant shall construct Salem Wastewater Master Plan lines necessary to connect the development to adequate sewer facilities in alignments approved by the Director of Public Works.

G. Parks Requirements

1. Based on the policies of the Comprehensive Park System Master Plan, the provisions of SRC 66.125, and the findings above, 6.9 acres of neighborhood park land (or approximately that size depending on the final subdivision layout), and an access route or other park linkages are needed to serve the subject property. Title to a platted, future neighborhood park in this service area shall be paid for and transferred to the City prior to or simultaneously with the recording of the plat for the final phase of the Northstar Subdivision. This condition may be met by providing a 6.9 acre neighborhood park on the subject property or, on approval of a joint use agreement for a site between the City of Salem and the Salem-Keizer School District, co-locating a 6.9 acre neighborhood park with a new elementary school on the subject property.

2. The above condition will not apply if the City acquires adequate neighborhood park acreage elsewhere in the vicinity to serve the property's park need.

Date of Preliminary Declaration: June 25, 2007

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, not later than **July 10, 2007, 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the Urban Growth Management Ordinance (SRC Chapter 66). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

This Preliminary Declaration will expire on June 25, 2009

Attachments:
- Exhibit 1: Facts and Findings of the Department of Public Works
- Exhibit 2: Facts and Findings of the Department of Community Services
- Exhibit 3: Vicinity Map

Prepared by Garrett Stephenson, Associate Planner

G:\Group\CD\PLANNING\STFRPRTS\2007\UGA\UGA07-1.ghs.wpd

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

CITY OF Salem AT YOUR SERVICE

Si necesita ayuda para comprender esta informacion, por forvor llame 503-588-6173

ADMINISTRATIVE DECISION FOR MODIFICATION OF TENTATIVE SUBDIVISION PLAN AND CLASS 2 ADJUSTMENT

CASE NO.:	SUB07-13A2-ADJ
AMANDA NO.:	19-107670-LD and 19-109427-ZO
DATE OF DECISION :	July 5, 2019
PROPERTY LOCATION:	4400-5200 Block of Kale Road NE
APPLICANT:	Northstar Communities LLC

REQUEST

Modification of the amended approval of tentative subdivision plan SUB07-13A (Northstar subdivision) ~~to reconfigure the boundaries between segments in the tentative subdivision plan~~, reconfiguration of several lots including a Class 2 Adjustment to allow lots greater than 300% of the lot width, ~~reduce amount of lots created from 729 lot to 660 lots, realignment of street layout, elimination of condition 7 and 8, and clarification of remaining Conditions of Approval~~.

On July 3, 2019, the applicant requested to withdraw the request for modifications to conditions of approval, phase boundaries and reduction of lots to all segments, except Segment I.

The previous modification of SUB07-13A modified previous conditions of the original subdivision. The original subdivision granted approval to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 729 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). The requested modification does not change the street layout or number or configuration of single family residential lots within the subdivision.

Urban Growth Preliminary Declaration UGA07-01 was granted in association with the subdivision and, pursuant to SRC 200.025(g)(1), remains in effect as long as SUB07-13A remains valid.

The subject property is approximately 148.74 acres in size, zoned RS (Single Family Residential) and RM-1 and RM-2 (Multiple Family Residential), and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map and Tax Lot Numbers 062W32C 00200; 00800; 00900; 1000; and 062W32D 00701 and 01100).

DECISION

The requested modification of the tentative subdivision plan is APPROVED subject modifications to conditions of approval and to the applicable standards of the

Salem Revised Code, the findings contained herein, and the findings and conditions adopted in the approval of amended tentative subdivision plan SUB07-13A and amended Urban Growth Area Preliminary Declaration UGA07-01.

BACKGROUND

On December 18, 2007, the Subdivision Review Committee approved amendments to the Northstar subdivision, a proposal to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 730 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). Urban Growth Preliminary Declaration UGA07-01 was granted in association with the Northstar tentative subdivision plan. Two-year extensions of the amended approval were granted in 2009, 2011, 2013, and 2015. A modification was approved on May 24, 2017 which extended the expiration date of the subdivision to December 18, 2019 for the first segment and the applicant can apply for two year time extension with the final extension expiring no later than December 18, 2027.

As originally approved, the tentative subdivision plan divides the overall 729-lot development into 11 “segments” labeled “A” through “K” and consisting of between 38 and 131 lots each.
The modification approved in May of 2017, amended the subdivision plan to reconfigure the boundaries between the lot groupings “segments”.

City Department Comments

Salem Fire Department. Fire department access is required to be provided within 150 feet of all portions of structures. Any dead end fire department access roads over 150 feet in length requires an approved turnaround. Fire hydrants are required to be provided within 600 feet of all portions of single family dwellings.

Public Works Department. The City of Salem Public Works Department, Development Services Section, reviewed the proposal and the revised proposal. The Public Works Department does not have concerns with the revised proposal for Segment I.

Public Agency and Private Service Provider Comments

Portland General Electric (PGE). PGE reviewed the proposal and indicated that development costs will be determined by current tariff and service requirements and that a 10-foot-wide public utility easement (PUE) is required on all front street lots.

Salem-Keizer School District. Planning and Property Services staff reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary, and middle school levels to serve future development within the proposed partition. The high school (McNary Salem High school) is over capacity at this time.

Neighborhood Association Comments and Public Comments

The subject property is located within the Northgate Neighborhood Association (Northgate). Notice of the application was provided to the neighborhood association,

pursuant to SRC 300.520(b)(1)(B)(iii), which requires public notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. Comments from three property owners within the vicinity of the subject property, submitted prior to the close of the public comment period deadline. Concerns and opposition received can be summarized into the following main categories:

A. **Impact of Increased Traffic on Adjacent Streets.** Comments received express concern with increased traffic in the vicinity as a result of the subdivision. Specific concerns raised regarding traffic and impacts on adjacent streets, including Kale Street NE.

   Staff Response: The Public Works Department has evaluated the proposal and submitted comments indicating that existing streets in the vicinity have adequate width for two-way vehicle traffic. The previously approved subdivision will be required to improve Kale Street NE, Hazelgreen Road NE, construct a new collector street (49th Avenue NE) and the extension of new local streets through the subdivision in conformance with current standards for vehicle, pedestrian, and bicycle facilities. These streets will connect to existing streets and fill in gaps within the current street network.

B. School District Overcrowded. Comments submitted express concern that the schools are overcrowded.

   Staff Response: The Salem-Keizer School District; Planning and Property Services staff reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary, and middle school levels to serve future development within the proposed development. The high school (McNary Salem High school) is over capacity at this time. Since the comments were submitted, the property is within the McKay Salem High School boundary according to the Salem Keizer School District webpage.

FINDINGS

The subject property is located at the 4400-5200 Blocks of Kale Road NE (Attachment A). On December 18, 2007, the Subdivision Review Committee approved amendments to the Northstar subdivision (SUB07-13A), a proposal to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 730 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). UGA07-01 was issued in connection with the Northstar tentative subdivision plan (SUB07-13). The Planning Administrator approved a modification on May 24, 2017 to reconfigure the boundaries of the “segments”.

The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance

with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final subdivision plat.

Amended subdivision SUB07-13A was approved in 2007 under the requirements of former SRC Chapter 63 (Subdivisions). Since that time, the City's zoning and development codes were amended as part of the City's Unified Development Code (UDC) project. The UDC was a multi-year project to update the City's zoning and development codes to make them easier to understand and administer. The intent of the project was to reorganize and streamline, but not to make major policy changes to existing standards and criteria. The standards and criteria applicable to subdivisions were included in the standards and criteria updated as part of the UDC. However, because the UDC was not intended to make policy changes, none of those revisions have required modification of the original subdivision approval. Minimum lot size and dimensions, street standards, and other requirements applicable to the subdivision remain the same.

The Northstar subdivision is not a phased subdivision but a single tentative subdivision plan consisting of defined "segments" which can be platted in any order. On this basis, the applicant may plat several segments at once, but cannot plat an incomplete portion of an individual segment.

There are several requests to modify the original decision and 2017 modification. On July 3, 2019, the applicant requested to withdraw the request for modifications to conditions of approval, phase boundaries and reduction of lots to all segments, except Segment I.

The requested modification would reconfigure lots in Segment I, to include land previously sold to the neighboring property owner without land use approval. Prior to Segment H receiving final plat approval, the applicant was required to correct the legality of the subject property. The addition of the land area resulting in Lots 272-276 exceeding the lot depth ratio of 300% of the width.

A final plat has been approved for Segment H and F. The applicant is requesting to reconfigure lots, which will require a Class 2 Adjustment to lot depth ratio for Lots 272-276 and Lot 470. The Class 2 Adjustment is addressed below in Section 4.

1. Criteria for Modification of the Approval of a Tentative Subdivision Plan (SRC 205.070(d)):

SRC 205.070(d) establishes the following approval criteria for modification of the approval of a tentative subdivision plan:

(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and

(2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

2. Analysis of Modification Approval Criteria:

SRC 205.070(d)(1): The proposed modification is not substantially inconsistent with the conditions of the original approval.

Finding: As originally approved, the Northstar tentative subdivision plan would divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 729 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). The Subdivision Review Committee approved the application (Case No. 13-07) and a subsequent amendment (Case No. SUB13-07A), subject to 24 conditions of final plat approval (Attachment B). In addition, Condition 1 requires the final plat to comply with the four conditions of approval of Comprehensive Plan and Zone Change case CPC-ZC05-12, and Condition 22 requires compliance with the 10 conditions of approval for Urban Growth Preliminary Declaration case UGA07-01.[1]

Modification includes reconfiguration of lots within Segment I. Segment I, includes land previously sold to the neighboring property owner without land use approval. Prior to Segment H receiving final plat approval, the applicant was required to correct the legality of the subject property. The addition of the land area resulting in Lots 272-276 exceeding the lot depth ratio of 300% of the width. The applicant has requested an adjustment to the 300% lot depth standard, which is addressed in Section 4 below.

SRC 205.070(d)(2): The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Finding: The applicant does not propose to change the use of the site, which would be subdivided into lots for single family residential development, with park and school sites included in optional configurations. The applicant's proposal retains similar streets and lot layout as approved for the tentative subdivision plan. The Tree Conservation Plan (TCP07-17) approved for the tentative subdivision plan is not altered by the requested modification and would remain in effect. The variances granted in SUB07-13 are addressed in the Subdivision Review Committee's decision and are not altered by the reconfigured segments proposed in this modification.

The physical appearance of the completed development would remain essentially the same as originally proposed, with no changes to the internal street system or lot configuration on the perimeter of the property. Because of the very similar configuration and identical use of the eventual completed subdivision, the requested modification would not increase or otherwise change impacts on surrounding properties.

The proposal meets this criterion.

3. Effect on Expiration Period of Original Approval:

Pursuant to SRC 205.070(e), "the effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision."

Finding: The modification will not change the expiration date of SUB07-13A2 approved on May 24, 2017. SUB 07-13A2 provide the applicant a two-year deadline established for recording the final plat for a tentative subdivision plan, the expiration date of the modified subdivision was extended by two years, to December 18, 2019, which has been met. Recognizing the incremental platting proposed by the applicant, the size and complexity of the overall development, and findings in both SUB07-13A, SUB07-13A2 and this modification decision that the "segments" designated by the applicant meet applicable standards on an individual basis, the applicant is permitted to apply for up to four further extensions of the expiration date, in two year increments, with the final extension expiring no later than **December 18, 2027.**

Pursuant to SRC 200.025(g), a UGA Preliminary Declaration issued in connection with a subdivision shall remain valid as long as the tentative subdivision approval remains valid. Therefore, UGA07-01 and its terms and conditions would remain in effect for the duration of the subject modification and any subsequent extensions.

4. Criteria for granting a Class 2 Adjustment

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

(i) Clearly inapplicable to the proposed development; or

(ii) Equally or better met by the proposed development.

Finding: The applicant is requesting a Class 2 Adjustment to increase the lot width to depth ratio of Lots 271-276.

The applicant is requesting a zoning adjustment to Table 511-2. The minimum lot width required for lots in the RS zone is 40 feet with a minimum lot depth of 70 feet. Table 511-2 only allows a maximum lot depth of 300% of average lot width

The applicant is requesting an adjustment to the lot width to lot depth maximum.
In order to provide street connections and circulation, the size and layout of the lots had to be taken into consideration. Lots 271-276 contains a Bonneville Power Easement along the northern portion of the property. If the easement is removed from those lots the lot would meet lot standards of SRC 511.

Lots 272 through 276 in Segment I of Northstar Subdivision are all 55 feet in width, therefore, only allowing a maximum lot depth of 165 feet. However, all five of these lots exceed 165 feet in lot depth. These lots range between 305%-318% due to the existing easement located along the north property line.

The purpose of this requirement is to avoid creating long narrow lots. The applicant has made efforts to provide adequate street connections and circulation, the size and layout of the lots had to be taken not consideration. Due to the required street extensions near these lots, creating smaller lots is not feasible.

The proposed adjustment equally or better meets the standard.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The proposal will have little to no impact on the surrounding neighborhood. The purpose of this requirement is to avoid creating long narrow lots. In order to provide street connections and circulation, the size and layout of the lots had to be taken not consideration. Due to the required street extensions near these lots, the BPA easement and wetlands creating smaller lots is not feasible. The adjustment would allow the lots to be developed in a similar way as the surrounding properties, meeting this criterion.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: The adjustment allows the subject property to be developed in a manner that is consistent with the remaining lots being proposed. The effect of the adjustment is to allow development which is consistent with the overall purpose of the RS (Single Family Residential) zone.

DECISION

A. The requested modification of the amended tentative subdivision plan and Class 2 Adjustment is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in the approval of tentative subdivision plan SUB07-13A, UGA07-01 and CPC-ZC05-12. .

B. The requested Class 2 Adjustments are **APPROVED**, subject to the applicable standards of the Salem Revised Code and the findings contained herein.

Olivia Glantz, Planner III
Planning Administrator Designee

Attachments:
A. Vicinity Map
B. Subdivision Review Committee SUB07-13A & SUB07-13A2
C. Site Plan for Modified Subdivision
D. Request for withdraw of modifications, except Segment I
E. Planning Commission decision approving CPC-ZC05-12
F. UGA Development Review Committee decision approving UGA07-1

Application Deemed Complete: May 1, 2019
Notice of Decision Mailing Date: July 5, 2019
Decision Effective Date: July 23, 2019
State Mandated Decision Date: October 8, 2019

The rights granted by this decision must be exercised or extension granted by the following dates or this approval shall be null and void:

Tentative Subdivision Plan: December 18, 2027
Class 1 Adjustment: July 30, 2021

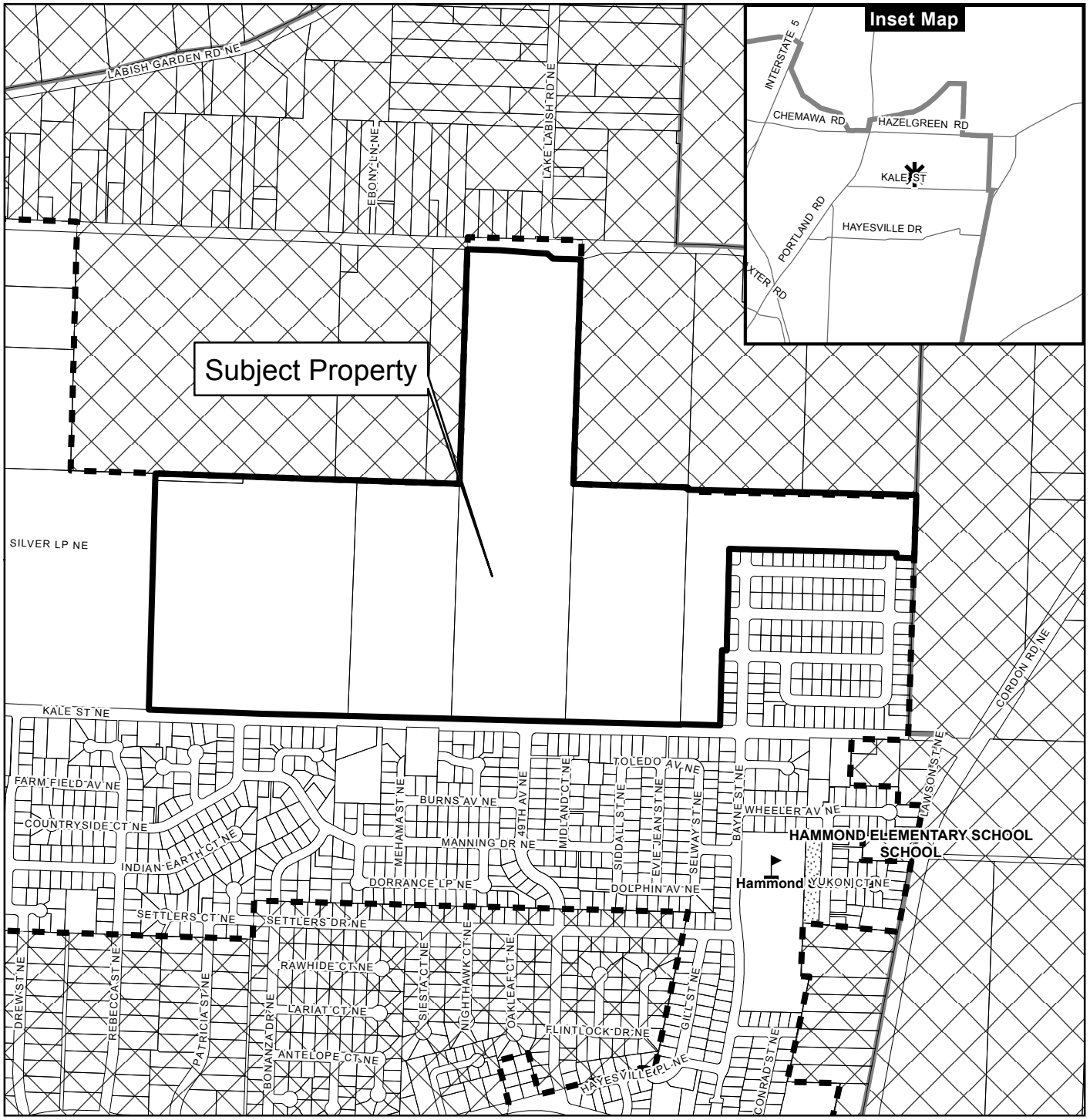
A copy of the complete Case File is available for review during regular business hours at the Planning Division office, 555 Liberty Street SE, Room 305, Salem OR 97301.

This decision is final unless written appeal from a party with standing to appeal, along with an appeal fee, is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **Monday, July 22, 2019, 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. The Planning Commission may amend, rescind, or affirm the action or refer the matter to staff for additional information.

cc: Alan Kessler, GIS

G:\CD\PLANNING\CASE APPLICATION Files 2011-On\SUBDIVISION\2019\Decisions - Orders Documents\SUB07-13A2MOD2.docx

Vicinity Map
4485 Kale Street NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet

CITY OF Salem AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

SUBDIVISION REVIEW COMMITTEE

PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

City of Salem AT YOUR SERVICE

ISSUE: Northstar Subdivision Plat No. 07-13

DATE OF DECISION: September 28, 2007

APPLICANT: Larry Epping of the Granada Land Company

PURPOSE OF REQUEST:

To divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE.

ACTION:

IT IS HEREBY ORDERED

The request to divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Maps 062W32C and 062W32D, tax lots 200, 800, 900, 1000, 1100, and 701) is hereby GRANTED subject to SRC Chapters 63 and 146 and the following additional conditions, to be satisfied prior to final plat approval, unless otherwise indicated:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North
H	437	North

Segment	Lot Number	Front Lot Line
H	448	North
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazel Green Road crossing.

Condition 12: Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazel Green Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazel Green Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by Public Works Director, either:

a. Construct curb, sidewalks, and gutter as specified the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or

b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazel Green Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: July 2, 2007
State Mandated Decision Date: October 30, 2007
Decision Date: September 28, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

The Findings and Order of the Subdivision Review Committee for Subdivision 07-13, dated September 28, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the Applicant must complete the conditions listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the Applicant from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **October 15, 2007, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

Case Planner: Garrett Stephenson, Associate Planner, Ext. 7556, gstephenson@cityofsalem.net

BEFORE THE SUBDIVISION REVIEW COMMITTEE
OF THE CITY OF SALEM
(TENTATIVE SUBDIVISION PLAT NO. 07-13)

IN THE MATTER OF	)	
TENTATIVE APPROVAL OF	)	**FINDINGS AND ORDER**
SUBDIVISION PLAT NO. 07-13;	)	
4400-5200 BLOCKS OF KALE ROAD NE	)	

PROCEDURAL FINDINGS

1. On March 20, 2007, an application for a subdivision was submitted to the Salem Community Development Department by Larry Epping of the Granada Land Company. He is represented in this application by Ashley DeForest of Saalfeld Griggs PC. This application was deemed incomplete on April 9, 2007, pending the issuance of a Preliminary Declaration for UGA Permit 07-1. A Preliminary Declaration was issued for this UGA permit on June 25, 2007. The application was subsequently deemed complete for processing on July 2.

2. On July 3, 2007, notification of the proposal was mailed to the Northgate Neighborhood Association and the owners of all property located within 250 feet of the subject property. Notification was also provided to public and private service providers and other City departments. Notice of the Subdivision Review Conference was posted on the subject property on July 19, 2007.

3. A Subdivision Review Conference was held on July 31, 2007, at 9:00 a.m. to hear the application and receive testimony from interested parties. Per the request of an interested party, the written record of this meeting was held open until 5:00 p.m. on August 14, 2007.

4. On September 10, 2007, the applicant submitted additional information requesting public improvements be required based on "phases" determined by the number of building permits requested for development within the subject property.

SUBSTANTIVE FINDINGS

1. Request

To divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Maps 062W32C and 062W32D, tax lots 200, 800, 900, 1000, 1100, and 701).

A vicinity map of the subject property is made a part of this report as Attachment 1.

The Applicant's tentative plan(s) are attached to this report as Attachment 2.

The Applicant's written proposal and subsequent submissions are made a part of this report as Attachment 3.

2. Salem Area Comprehensive Plan (SACP)

Land Use Plan Map: The subject property is designated as "Multi-Family Residential" and "Single Family Residential" on the Salem Area Comprehensive Plan (SACP) Map.

Urban Growth Policies: The subject property is located within the Salem Urban Growth Boundary and inside the corporate city limits.

Growth Management: The subject property is located outside of the City's Urban Service Area. The Urban Service Area is the area of the City that is stipulated to feature adequate public infrastructure, such as streets, water service, sewer service, public drainage facilities, and parks. Pursuant to the Urban Growth Management Program (SRC Chapter 66), an Urban Growth Area Development Permit is not required when property is located within the boundaries of the Urban Service Area. Such a permit is required for the subject property because it lies outside of the Urban Service Area. A preliminary declaration of public facilities necessary to serve the proposed development (UGA 07-1) has been issued. The Applicant must complete all required public facility enhancements in order to obtain the UGA Permit. This preliminary declaration is made a part of this staff report as Attachment 8.

3. Prior Land Use Cases

Commission-Initiated Zone Change (CIZC) No. 98-4 (August 24, 1998)

This action involved the annexation of the subject property, the application of an "Industrial" Comprehensive Plan designation, and the application of the IP (Industrial Park) zoning district. This action did not apply to tax lots 701 or 1100 of Marion County Assessor's Map 062W32D.

Annexation Case (ANX) No. C-553 (January 23, 2002)

This was an annexation of tax lots 701 and 1100 of Marion County Assessor's Map 062W32D. The subject property was zoned IBC (Industrial Business Park).

Comprehensive Plan Change/Zone Change (CPC/ZC) No. 05-12 (November 7, 2006)

This action established the current Comprehensive Plan designations and zoning districts to the subject property (Multiple-Family and Single-Family Residential). The following conditions of approval were attached to the Planning Commission's decision and apply to the proposed subdivision (Attachment 9).

a. The Applicant shall dedicate sufficient right-of-way to equal a half-width of 36 feet along Kale Road NE and construct a 23-foot half-street improvement on the development side of Kale Road NE when the property is developed.

b. The Applicant shall link the proposed development to adequate water facilities and adequate sewer facilities.

c. The Applicant shall provide a 30-foot-wide buffer along the boundary of those properties designated RS (Single-Family Residential) to buffer the proposed residential land from Industrial-designated and agriculturally-zoned land, respectively. In addition, a sight-obscuring fence shall be required on the eastern boundary of the portion that abuts the urban growth boundary. Those boundaries that abut residentially designated land (RS, RM1 and RM2) shall not be subject to this condition.

d. The Applicant shall provide Multiple Family Residential bufferyards as required by SRC 132 along the periphery of that property designated RM1 or RM2.

The Planning Commission resolution approving the proposed CPC/ZC is made a part of this staff report as Attachment 9. In order to ensure that the conditions of approval of this decision are completed, the following condition of approval shall apply:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Urban Growth Area Development Permit (Preliminary Declaration) 07-1 (June 25, 2007)

This action is a preliminary declaration of the public infrastructure required to serve the proposed development. A UGA Development Permit is issued once the conditions of the preliminary declaration are satisfied. Preliminary Declaration UGA 07-1 is made a part of this staff report as Attachment 8.

4. Surrounding Zoning and Land Uses

The subject property consists of 148.06 acres within seven (7) tax lots under the same ownership, six of which make up the bulk of the site itself. Two major roads, Kale Road NE and Hazel Green Road NE border the subject property. The subject property abuts Kale Road for approximately 0.81 miles (4,277 feet). The site also has approximately 0.12 miles (634 feet) of frontage along Hazel Green Road to the north. Located in an area of suburban-rural transition, the subject property is adjacent to single-family subdivisions to the south, and large single-family lots and small farms under Marion County jurisdiction to the north. Uses to the west and east are multiple family residential and heavy agriculture, respectively.

North: Marion County UT-5 (Urban Transition); single-family homes, light agriculture
East: Marion County EFU (Exclusive Farm Use), heavy agriculture
South: RS (Single-Family Residential), RA (Residential Agriculture) and Marion County UT-5; single-family homes, vacant land, parks
West: RM2 (Multiple Family Residential) and Marion County UT-20 (Urban Transition); manufactured home park, agricultural uses

5. Existing Site Conditions

The subject property is located between Hazel Green Road NE and Kale Road NE and is currently being utilized for the production of grasses. It consists of approximately 148.06 acres in gross area. The subject property originally consisted of 148.74 acres, 0.68 acres of which were recently deeded to an adjacent property owner (Attachment 3, page 1). There are two single-family homes and a few ancillary structures currently located on the site. The North Fork of the Little Pudding River runs from north to south through the subject property.

Trees: Pursuant to SRC Chapter 68 "Preservation of Trees and Vegetation," if the Applicant wishes to remove trees in conjunction with development, they must submit a Tree Conservation Plan (TCP), which is reviewed by City staff. Any onsite tree removal must be performed according to an approved TCP. There are six (6) trees located on the subject property and the Applicant has submitted a Tree Conservation Plan proposing the removal of one (1) of these trees (TCP 07-17). This plan is currently under review and, if approved, it will be binding on the subject property until notices of final completion are issued on the lots that will contain existing trees.

Wetlands: Wetlands are regulated by the U. S. Army Corps of Engineers through the Oregon Department of State Lands (DSL). The City of Salem has adopted maps and data (Local Wetland Inventory) which generally show areas with potential or existing wetlands. The Local Wetland Inventory identifies two mapped wetlands located on the subject property, denoted as PU-C and PU-D. The DSL was notified of the proposed subdivision on July 16, 2007 and provided comments that indicate a removal-fill permit may be required, and that the Applicant must provide a wetland determination/delineation report. The Applicant shall apply for a removal/fill permit from the DSL in order to install a swale that will re-direct the existing closed channel of the North Fork of the Little Pudding River. Contingent upon the DSL's approval of this proposal are two potential lot layouts (Segments C and C - Option A), of which "Segment C" provides for a re-directed swale and "Segment C – Option A" allows for the current flow path of the stream. Both of these layouts are under review for this subdivision, and it is not known as of the date of this report whether or not the permit will be granted. The subject property also contains hydric soils which are potentially indicative of wetlands. If other wetlands are suspected on the subject property, the Applicant should notify DSL in order to ascertain what, if any, mitigation requirements may be imposed.

Landslide Susceptibility: SRC Chapter 69 "Landslide Hazards" sets forth the mitigation requirements that may be imposed if landslide hazards are present on a property. This is done primarily through establishing the sum of landslide hazard points (a combination of the mapped landslide hazard points and those points associated with the type of proposed development) in order to determine what mitigation, if any, is required to ensure a safe development. The subject property does not contain any mapped landslide hazard points and a subdivision request incurs 3 "activity" points. The cumulative total of 3 landslide hazard susceptibility points indicates a "low landslide hazard," therefore, no geologic assessment or geotechnical report were required.

Natural Hazards: The North Fork of the Little Pudding River traverses the subject property from north to south. There is a FEMA (Federal Emergency Management Agency) mapped flood plain affecting the northern portion of the subject property that is tied to the presence of this waterway. Typically, building within flood plains is permitted as long as the Applicant either elevates residential structures a minimum of one foot above base flood elevation or otherwise installs flood protection measures. The

Applicant must determine the 100-year base flood elevation along the river from Hazel Green Road NE to Kale Road NE, so that any structures built within that flood plain can be sufficiently elevated. Additional design standards may also apply to structures built within a flood plain (SRC 140.100). Development standards intended to mitigate the threat of flooding are also set forth in SRC 140.100. Development within the floodplain is subject to a Floodplain Development Permit (SRC 140.190) (Attachment 6).

6. Site Analysis and Parcel Layout

This subdivision proposes a relatively large number of lots within three (3) different zoning districts. Consequently, the character of the proposed development will differ throughout the subject property where different zoning districts are in effect. Broadly speaking, the application proposes a 6.24 acre lot to be reserved for a multiple family dwelling complex: a 15,901 square-foot lot for a future five-plex, twelve townhouse lots, 36 duplex lots, and the remainder of the property to be divided into single-family residential lots. For the single-family dwelling lots, proposed lot areas range from 4,203 square feet to 27,181 square feet, with single-family density of 4.99 - 5.13 dwelling units per acre. (Area and density calculations are based on Applicant's statement (Attachment 3.))

The zoning of the subject property was recently changed through Comprehensive Plan Amendment/Zone Change 05-12 from IBC (Industrial Business Campus) and IG (General Industrial) to RM1 (Multiple Family Residential), RM2 (Multiple Family Residential) and RS (Single Family Residential). A condition of approval of CPC/ZC 05-12 requires that "the applicant shall provide a 30-foot-wide buffer along the boundary of those properties designated RS (single-family residential) to buffer the proposed residential land from industrial designated and agriculturally zoned land, respectively." In addition to this buffer, "a sight-obscuring fence shall be required on the eastern boundary on the portion that abuts the Urban Growth Boundary." According to a communication between the Assistant Planning Administrator and the applicant dated December 4, 2006, the stated intent of this condition was not to require an additional 30-foot-wide buffer strip around the subject property, but rather to "require a bufferyard in lieu of a setback" (Attachment 3). Accordingly, no dwellings may be built within 30 feet of the lot lines abutting any land that is designated by the Salem Area Comprehensive Plan as "Industrial" or land that is zoned for agriculture within Marion County. This requirement is reflected in Condition 1, which requires the Applicant to adhere to all conditions of approval of CPC/ZC 05-12.

Three basic platting alternatives have been submitted for review in order to preserve project flexibility to meet the eventual requirements for a new neighborhood park and elementary school. Three basic platting alternatives were submitted for review. The first proposal shows a residential subdivision of the entire property, the second shows a parkland concept as part of the residential subdivision, and the third proposes a site for shared parkland and school district property. Compounding these options is the development's likely impact to the North Fork of the Little Pudding River, which is partially tiled beneath the subject property. The proposal includes a re-direction and opening of this stream within a new drainage swale. This proposal is contingent upon a Removal/Fill Permit from the Department of State Lands (DSL). If this permit is not granted, the Applicant has proposed an alternative lot layout to account for the current configuration of the river and an open swale to direct river stream flow. In total, there are six (6) potential lot layouts for the subject property that will be reviewed by the Planning Division and other City departments. The following table describes the six independent subdivision proposal alternatives:

TABLE 1
PROPOSED SUBDIVISION ALTERNATIVES

	Segment C (Existing flow path of the North Fork of the Little Pudding River)	**Segment C "Option A" (Proposed swale for North Fork of the Little Pudding River)**
Alternative 1 (Lots only)	1	1A
Alternative 2 (Neighborhood Park)	2	2A
Alternative 3 (Neighborhood Park and Elementary School)	3	3A

Under normal circumstances, a single subdivision request will be reviewed and modified as needed. In this case, the Applicant has requested a unitary review of each of the six (6) alternative designs listed above. In essence, this request involves six (6) separate subdivision requests for the same subject property. All 6 alternatives have been reviewed as detailed in this staff report, and each will be referred to as shown in the table above.

The Applicant has divided the proposed subdivision into eleven "segments," or independent portions of land to be developed in a specific way. Theses are not phases as no particular order has been proposed for their development and each segment must be individually reviewed for applicable development standards. Phasing has been proposed by the Applicant, but it does not directly correspond to individual segments. There are multiple versions of several segments due to the potential park land and school district sites, as well as any future DSL requirements for the redirection of the North Fork of the Little Pudding River. The following table shows information on proposed segments of the subdivision:

TABLE 2
SUBDIVISION SEGMENT IDENTIFICATION

Segment	Total Lots	Zoning	Comments
A	102	RM1/RM2	Features 36 duplex lots, 12 townhouse lots, and one five-plex multi-family lot
B	44	RM2	Features 6.24 acre apartment lot
C	84	RS	Pending DSL removal-fill permit to relocate stream
C (Option "A")	77	RS	Proposed option if removal-fill permit is denied
D	59	RS	
E	71	RS	
F	57	RS	
G	61	RS	
H	81	RS	
I	56	RS	
J	38	RS	
K	62	RS	
Park (alternative)	64	RS	Proposed park and residential option replaces segment K and an alternative segment J.
Park/School (alternative)	39	RS	Proposed park, school, and residential option replaces segments J and K.

Existing Buildings and Infrastructure: Two dwellings and several ancillary structures are located on the subject property. According to the tentative plan, these are to be removed prior to development. Four of the six proposed plat alternatives require the removal of these structures, and it appears that the existing house that may be retained in proposed Segment K will not meet the minimum required setback from Hazel Green Road NE after required right-of-way is dedicated for boundary-street improvements. Therefore, the Applicant must remove all existing buildings. In order to ensure that these houses are removed prior to development, the following condition of approval shall apply:

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

It appears that several wells and/or septic systems may also be present on the subject property. All newly created lots must be served with public water, sewer, and storm drainage services, therefore any existing unused wells and septic systems must be abandoned. In order to ensure compliance with this requirement, the following conditions of approval shall apply:

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

There is a large, 125-foot-wide easement benefitting the Bonneville Power Administration (BPA) bisecting the subject property from east to west. Several power line towers are located within this easement, and are to remain on the subject property. This easement will affect several dozen proposed single-family lots and a proposed multiple-family apartment complex lot. Proposed lot sizes in this area appear to accommodate this easement by providing sufficient space for a single-family dwelling and the easement. The easement must be recorded on the deeds for all affected lots and on the tentative plat. In order to ensure compliance with this requirement, the following condition of approval shall apply:

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Phasing: The Applicant requests that this development be permitted to be constructed in phases. The Salem Revised Code permits phasing of subdivisions when requested and where the entire development can be reviewed during the initial tentative decision process. In the case of non-phased subdivisions, the final plat of a tentatively-approved subdivision must be recorded within two (2) years of the date of approval. Pursuant to SRC 63.049, for developments to be constructed in phases, the final platting of the final phase must be completed within ten (10) years of the tentative approval date. Once tentative approval is granted, the order and timing of the construction of each phase are under the discretion of the Applicant, provided that all phases are constructed and platted within this 10-year time frame. The Applicant has proposed a "phasing plan" for public infrastructure construction, which was submitted on September 10, 2007 (Attachment 3). This plan requests pre-determined building permit thresholds to trigger public street improvements and should not be confused with phasing as it applies to the subdivision process itself. Regardless of the pace or timing of public infrastructure construction, the deadline for the platting of the proposed subdivision shall be 10 years from the date of approval.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be ten (10) years from the date of tentative approval.

Lot Area: Pursuant to SRC 63.145(c), "each lot shall comprise a minimum of 4,000 square feet . . . except for an infill lot in the RA and RS zones, which shall have a minimum lot area of 5,500 square feet . . . or as otherwise stipulated in the zoning district where it is located." This provision allows minimum lot sizes in zones other than RA and RS to be determined by the underlying zoning district. Accordingly, the sizes of the lots in this proposed subdivision vary throughout the three zoning districts that effect the site. For example, within the RM2 (Multiple Family Residential) zone, the absolute minimum lot size is 1,500 square feet for townhouse uses, whereas the minimum lot size within the RS zone is 4,000 square feet for all dwellings with street frontage and 5,500 square feet for infill (flag) lots. The following is a summary of minimum required lot sizes in each zone:

RS - (SRC 146.070(a)): Frontage Lot - 4,000 sq. ft Infill (flag) Lot - 5,500 sq. ft.

RM1 - (SRC 148.240(a)): Townhouse Lot - 1500 sq. ft. Duplex or higher density Lot - 4,000 sq. ft.

RM2 - (SRC 148.390(c)): Townhouse Lot - 1500 sq. ft. Triplex or higher density Lot - 6,000 sq. ft.

As previously shown, there are fourteen potential segments of the subdivision (eleven identified by the Applicant, with three additional to account for alternative segment plans). The following table shows the smallest and largest lot sizes within each potential segment. Each number denotes square footage of single-family lots unless otherwise indicated.

TABLE 3
LOT SIZE (SMALLEST/LARGEST) WITHIN EACH SEGMENT OF THE SUBDIVISION

Segment	Zone	Largest Lot	Smallest Lot	Comments
A	RM1/ RM2	10,245 (single-family/duplex) 19,901 (5-plex)	5,219 (single-family) 2,500 (townhouse)	Features 36 duplex lots, 12 townhouse lots, and one five-plex multi-family lot
B	RM2	11,239 (single-family) 271,952 (apartment lot)	5,219	Features 6.24 acre apartment lot
C	RS	9,811	4,660	Pending DSL removal-fill permit to relocate stream
C (Option "A")	RS	9,811	4,203	Proposed option if removal-fill permit is denied
D	RS	27,181	4,550	
E	RS	17,357	4,662	
F	RS	9,836	4,680	
G	RS	19,048	4,802	
H	RS	12,012	4,680	
I	RS	16,406	5,040	
J	RS	12,062	5,400	
K	RS	11,447	4,316	
Park (alternative)	RS	11,447 (single-family) 6.916 (park)	4,647	Proposed park and residential option replaces segment K and an alternative segment J.
Park/School (alternative)	RS	11,981 (single-family) 11.23 acres (school/park)	5,040	Proposed park, school, and residential option replaces segments J and K.

As demonstrated above, all proposed lot areas are consistent with the requirements of the zoning districts where they are located.

Dwelling Unit Density: Dwelling unit density requirements are intended to regulate the character and intensity of development within different residential zones. As there are three zones affecting the subject property, density requirements vary across the extent of the site. Within the RS and RA zones, no specific density requirements apply. Although the Salem Revised Code does not have a minimum or maximum single-family residential density, the Salem Area Comprehensive Plan designation does indicate a target density of 6.5 dwelling units per acre in the aggregate of all residential development. This target is an overall goal rather than a development standard. Rather,

the RS zone has a de facto maximum density of about 11 units per acre, as the minimum lot size is 4,000 square feet. The proposed development features a single-family residential density of about 5 dwelling units per acre (Attachment 3).

Unlike the RA and RS zones, the multiple-family residential (RM1 and RM2) zones have prescribed density requirements. Pursuant to SRC 148.220, within the RM1 zone the minimum number of dwelling units is 8 per acre and the maximum is 14 dwelling units per acre. Staff calculations indicate that the density range of the developable RM1 area of the subject property is between 55 and 100 units. The Applicant's proposal is for 36 duplex lots within the RM1 zone, for a total build-out of 72 units, and is therefore consistent with density requirements in that zone. Construction of duplexes is necessary to meet density requirements for the RM1 portion of the subject property, therefore, the following condition of approval shall apply:

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Pursuant to SRC 148.370, the RM2 zone requires a minimum density of 12 units per acre and a maximum of 28 units per acre. Staff reviewed each type of proposed development within the RM2 zone independently for density requirements. For the area of the proposed 12 townhouses, a minimum density of 10 units and a maximum density of 24 units is required. The "5-plex" lot of 15,901 square feet is subject to a minimum density of 5 units and maximum of 11 units. The 6.24-acre area reserved for apartment buildings must be developed with a density of no less than 75 units and no more than 175 units.

Pursuant to SRC Chapter 148, all multiple-family development of more than two units on a lot must conform to the Multiple-Family Design Standards or Guidelines of the *Development Design Review Handbook*. Accordingly, the proposed "5-plex" and apartment complex must submit to either Administrative or Discretionary Design Review at the time of development. As compliance with this requirement is required at the time of building permit submittal, no condition of approval is needed to ensure compliance.

In summary, the proposed development is consistent with all applicable density requirements.

Lot Dimensions: SRC Chapters 63.145(a) & (b) and 145.070(b) require a minimum lot width of 40 feet and a minimum lot depth of 70 feet. The depth of a proposed lot may also not exceed 300 percent of its average width. For double-frontage lots, the minimum depth is 120 feet, unless a lesser depth is approved by the Planning Administrator based on unusual topographical or physical conditions.

For flag lots in subdivisions, SRC Chapters 63.285(a) establishes that flag lots shall have two dimensional requirements, each perpendicular to the other and generally running parallel to the parcel boundaries, and excluding the accessway in all instances. The average length across one dimension of the parcel shall be not less than 40 feet and the average length across the perpendicular dimension of the parcel shall be no less than 70 feet.

The following table shows the number of flag lots and double frontage lots within the proposed segments.

TABLE 4
FLAG LOTS AND DOUBLE FRONTAGE LOTS WITHIN SEGMENTS OF THE SUBDIVISION

Segment	Total Lots	Number of Flag Lots	Number of Double-Frontage Lots	Comments
A	102	2	17	Features 36 duplex lots, 12 townhouse lots, and one five-plex multi-family lot
B	44	0	0	Features 6.24 acre apartment lot
C	84	1	11	Pending DSL removal-fill permit to relocate stream
C (Option "A")	77	8	9	Proposed option if removal-fill permit is denied
D	59	7	0	
E	71	7	9	
F	57	2	4	
G	61	0	0	
H	81	4	10	
I	56	0	0	
J	38	1	0	
K	62	6	1	
Park (alternative)	64	0	0	Proposed park and residential option replaces segment K and an alternative segment J.
Park/ School (alternative)	39	0	0	Proposed park, school, and residential option replaces segments J and K

Staff reviewed all proposed lots for consistency with dimensional requirements. In summary, all lots other than those intended for townhouses are consistent with all applicable lot dimensional requirements. Furthermore, staff has evaluated all proposed flag lots and double-frontage lots and has also determined these to be consistent with applicable lot dimensional standards.

Although the proposed townhouse lots are permitted uses within the RM2 zone where they are proposed to be located, they are not consistent with the lot dimensional requirements of SRC 63.145. In order to allow this permitted use to be established, concurrent variances to SRC 63.145 (a) (lot width), 63.145(b) (lot depth), and 63.145(d) (street frontage) are required. These requested variances shall be evaluated in terms of the subdivision variance process as implemented by SRC 63.332. Please see Section 12 for additional details and the portion of this report addressing those variance requests. The Applicant has also requested a variance to SRC 148.390(a), which sets forth dimensional standards that are identical to those required by SRC 63.145. As these standards simply duplicate the variable lot dimensions of SRC 63.145, no additional variances to corresponding standards in the zoning code are necessary.

Lot and Block Standards: Pursuant to SRC 63.135, block length may be no greater than 600 feet between streets and block widths must be no less than 120 feet and no greater than 400 feet. Longer block lengths may be allowed where the Planning Administrator determines that the adjacent layout or special conditions justify greater length.

The Applicant has proposed several blocks that are longer than 600 feet and has submitted evidence indicating that such block layouts are necessary to accommodate the channel of the North Fork of the

Little Pudding River: The applicant stated that the subject site is constrained by a creek and bordered on the west by property that is fully developed and on the north and south by streets with functional classifications that limit the number and spacing of intersections. Surrounding street patterns to the north and south dictate the location of street intersections. These limiting factors inhibit the Applicant's ability to design a street layout conforming to the prescribed block length standard. Staff recognizes that this additional block length is necessary to limit impacts to this stream and finds that sufficient evidence exists to allow block lengths greater than 600 feet on that basis.

Similarly, deviations from maximum block width may be allowed where "topographical or other physical features dictate otherwise." The block width is greater than 400 feet where the North Fork of the Little Pudding River crosses the center of the subject property. As the presence of this stream presents a physical constraint to conformance with this requirement, block widths greater than 400 feet may be allowed in that area. Block widths are also affected by the 125-foot-wide BPA easement that bisects the subject property. As this easement includes existing infrastructure, it constitutes a physical condition of the subject property that cannot be easily accommodated by requiring strict compliance with lot and block width standards. In summary, where physical conditions allow, the proposal is consistent with block width standards.

Please see the Applicant's statement for additional information on this issue (Attachment 3).

Street Frontage: SRC Chapter 63.145(d) establishes a minimum frontage requirement of 40 feet for lots adjacent to streets, unless the frontage is located along a cul-de-sac or on the outside of curves having a radius of 200 feet or less and a direction change of 60 degrees or more. In these cases, the minimum frontage requirement is 30 feet. Staff analysis has determined that all proposed lots meet applicable frontage requirements (where they are not flag lots), with the exception of Lot 25. This lot is located at the most southwestern corner of the subject property and has approximately 20 feet of street frontage. As this lot is adjacent to two flag lots served with a 20-foot-wide accessway, this accessway may simply be widened to conform to the requirements of accessways serving 3 or 4 lots or parcels (SRC Table 63-1). Alternatively, the SW curve of Atlas Street NE may be re-configured to provide adequate street frontage. In any case, the remedy must not reduce the depth of proposed Lot 25 to less than 120 feet, as the lot has frontage on two public streets. The following condition of approval shall be applied in order to ensure the proper development of Lot 25:

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and, at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Front Lot Line Designation: SRC Chapter 63.145(e) establishes requirements for the designation of front property lines. Pursuant to SRC 63.145 (e)(4), in the case where proposed lots are contiguous to a public street, the front lot line shall be that line which has frontage along a public street. For infill (flag) lots, SRC 63.145(e)(3) requires that the front lot line shall be that outside property line that is an extension of the accessway or the line separating the flag portion of the lot or parcel from the lot or parcel between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs. In situations where the Planning Administrator otherwise directs, in which case the front lot or parcel line shall be set forth in the conditions of approval, which shall be recorded on deeds conveying the lots. Many flag lots are proposed for different segments of the subdivision. In order to ensure the maximum amount of buildable area as well as to provide flexibility for future construction, the following table designates the front lot lines for all proposed flag lots and shall be set forth in the conditions of approval.

Condition 9: The following table shall designate the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North

Segment	Lot Number	Front Lot Line
H	437	North
H	448	North
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

***Setback Requirements, RM1 Zone*:** The Applicant has proposed 36 duplex lots within the RM1-zoned portion of the subject property. For the purpose of determining building setbacks, the standards applicable to dwellings in the RS (Single-Family Residential) zone will apply.

RM1 Front Yards and Yards Adjacent to Streets

Dwellings (SRC 111.050(l))

- Per the requirements of SRC 146.080

  Minimum 12 feet (on a local street)
  Minimum 20 feet (larger street classification)

Apartments, Court Apartments, Condominiums, Residential Care, etc.

- 1 foot per foot of building height, no less than 12 feet but not required more than 20 feet
- Per requirements of the Development Design Handbook

Parking areas

- Per the requirements of the Development Design Handbook; or

  12 feet adjacent to a street, whichever greater
  Per the bufferyard requirements of SRC Chapter 132 for front yards not adjacent to streets

RM1 Interior Side and Rear Yards

Dwellings

- Per the requirements of SRC 146.090 and SRC 146.100

  Side Yards
  - Minimum 5 feet (for a lot with street frontage)
  - Minimum 10 feet (or infill (flag) lots)

Rear Yards
- Minimum 14 feet (for a single-story building)
- Minimum 20 feet (for a two-story building)

Apartments, Court Apartments, Condominiums, Residential Care, etc.

- Per the bufferyard requirements of SRC Chapter 132 Landscaping (Bufferyard requirements do not feature distinctions between side and rear yards)

  According to SRC Table 132-1, a minimum 10-foot-wide "B" bufferyard is required between three or more units per lot or parcel and land being used for agricultural production. A minimum 6-foot sight-obscuring fence or wall is also required.

  Additional setbacks are required for multiple-family developments abutting land zoned RA or RS.

Parking Areas

- As required by SRC Chapter 132 and the Development Design Handbook

Setback Requirements, RM2 Zone: The proposed development within the RM2 zone will include townhouses and multi-family (apartment) complexes. For townhouses, the setback standards of the RS (Single-Family Residential) zone apply. Multiple-family development must be set back according to the requirements set forth below, SRC Chapter 132 (which requires buffering of multiple-family developments from adjacent conflicting uses), and the *Development Design Handbook*. All development proposals of 3 or more units per lot are subject to either Administrative or Discretionary Design Review.

RM2 Front Yards and Yards Adjacent to Streets

Dwellings

- Per the requirements of SRC 146.080

  - Minimum 12 feet *(on a local street)*
  - Minimum 20 feet *(larger street classification)*

Apartments, Court Apartments, Condominiums, Residential Care, etc.

- 1 foot per foot of building height, no less than 12 feet but not required more than 20 feet
- Per requirements of the Development Design Handbook

Parking areas

- Per the requirements of the Development Design Handbook; or

  12 feet adjacent to a street, whichever greater
  Per the bufferyard requirements of SRC Chapter 132 for front yards not adjacent to streets.

RM2 Interior Side and Rear Yards

Dwellings

- Per the requirements of SRC 146.090 and SRC 146.100

Side Yards
- Minimum 5 feet (for a lot with street frontage).
- Minimum 10 feet (or infill (flag) lots)

Rear Yards
- Minimum 14 feet (for a single-story building)
- Minimum 20 feet (for a two-story building)

Apartments, Court Apartments, Condominiums, Residential Care, etc.

- Per the bufferyard requirements of SRC Chapter 132 "Landscaping"

  According to SRC Table 132-1, a minimum 10-foot-wide "B" bufferyard is required between three or more units per lot or parcel and land being used for agricultural production. A minimum 6-foot sight-obscuring fence or wall is also required.

- Additional setbacks are required for multiple-family developments abutting land zoned RA or RS

Parking Areas

- As required by SRC Chapter 132 and the Development Design Handbook

***Setback Requirements, RS Zone*:** The proposal includes a large number of single-family dwelling lots. A 30-foot setback for any dwelling constructed on these lots apply when they abut any land under the jurisdiction of Marion County, as this land is intended for farm and industrial use.

Front Yards and Yards Adjacent to Streets:	- Minimum 12 feet *(on a local street)* - Minimum 20 feet *(larger street classification)*
Rear Yards:	- Minimum 14 feet *(for a single-story building)* - Minimum 20 feet *(for a two-story building)*
Interior Side Yards:	- Minimum 5 feet (for a lot with street frontage) - Minimum 10 feet (for infill (flag) lots)

Garages and Setbacks: On February 8, 2006, Ordinance No. 71-05 went into effect establishing new residential development standards within the RA (Residential Agriculture) and RS (Single Family Residential) zones. Under the new standards, SRC Chapter 146.130 and 145.130 (Garages and Setbacks) require that all new dwellings constructed within the RS and RA zones have either an attached or detached garage.

Minimum setbacks to garages are included under SRC Chapter 146.130(c) and 145.130(c), which require that the vehicle entrance of any garage or carport be set back a minimum of 20 feet from one of the following lines, whichever is closest:

a. The right-of-way line, property line abutting an accessway, or most interior access easement line;
b. The outside curbline; or
c. The edge of the sidewalk furthest from the street.

Height: The following table describes maximum height restrictions in the RM1, RM2, and RS zones. All quantities are measured in feet.

TABLE 5
MAXIMUM HEIGHT RESTRICTIONS IN THE RM1, RM2, AND RS ZONES

Zone	Dwellings	Duplexes	Apartments	Other
RM1	35	35	35	70
RM2	35	35	50	70
RS	35	NA	NA	50

Maximum height for accessory structures in all zones is set forth in SRC Chapter 131.

Access and Circulation: Sufficient street system access is required for all parcels within any proposed subdivision and the developer must provide his or her "fair share" of improvements to existing boundary and linking streets. The subject property abuts two boundary streets, Kale Road NE to the south and Hazel Green NE to the north. Kale Road is designated as a *minor arterial* by the Salem Transportation System Plan (STSP), a classification that requires a 46-foot-wide paved improvement within a 72-foot-wide public right-of-way. Hazel Green Road is designated a *parkway*, which requires an 80-foot-wide paved improvement within a 120-foot-wide public right-of-way. Where these streets lack a sufficient amount of designated right-of-way and improvement width, the developer shall dedicate sufficient right-of-way to equal half of that required, and provide a full half-width street improvement on the development side of the street centerline and a sufficient paved travel lane on the opposite side. These boundary street improvements include sidewalks, bicycle lanes, street lights, and street trees.

A new north-south *collector* street, 49th Drive NE, is proposed to connect Lake Labish Road NE (abutting the northern extent of the site) to 49th Avenue NE (abutting the southern boundary of the site). This street follows the contours of the North Fork of the Little Pudding River, which makes an "s-curve" in the center of the subject property. According to the STSP, *collector* streets feature a 34-foot-wide paved improvement within a 60-foot wide right-of-way. Bike lanes or paved shoulders are generally part of *collector street* design standards. Sidewalks, street trees, and street lamps are also required.

Several new internal local streets are intended to connect the proposed lots to existing boundary streets and the proposed collector street. As shared roadways, local streets are designed to accommodate low traffic loads and low speed. Consequently, bicycles share these roadways. Five-foot wide sidewalks, street lamps, planting strips, and street trees are all required as *local street* construction standards. As shown on the tentative plan, proposed *local streets* are generally laid out in a grid-pattern resulting in rectangular lots and blocks, except where curved lot patterns are necessitated by the North Fork of the Little Pudding River. Local street connections are proposed for Countryside Drive NE and Bayne Street NE, which terminate at Kale Road. Segments D, C, K, Segment C (Option "A"), and the Park alternative segment features cul-de-sac turnarounds. The cul-de-sacs must feature a minimum circular radius of 45 feet. In summary, all proposed streets and cul-de-sacs appear to be consistent with applicable design standards (SRC 63.235).

Pursuant to SRC Chapter 63.225(p), "connections to existing or planned streets and undeveloped properties along the border of the parcel shall be provided at no greater that 600-foot intervals," unless the Planning Administrator determines that physical or topographic conditions make a connection impractical, that buildings or other existing developments preclude a connection, or that streets or accessways would violate provisions of leases, easements, covenants, restrictions, or other agreements existing as of May 1, 1995. The Applicant has provided findings indicating that the channel of the North Fork of the Little Pudding River presents a physical condition that precludes certain additional street connections, particularly those that may cross the stream. Consequently, no

easterly connection is required across the Little Pudding River in the northern portion of tax lot 200 of Marion County Assessor's Map 062W32C. Due to the current or proposed configuration of the swale for the Little Pudding River where it reaches Kale Road, access points are also limited on Kale Road. Public Woks has provided comments that connections to Kale Road, as proposed, are sufficient to safely serve the proposed development and that potential locations of additional connections are not desirable. Therefore, no additional street system connections or connections to adjacent undeveloped properties are required.

Flag lots: Pursuant to SRC 63.295, the Planning Administrator may waive or relax any of the lot development standards set forth in SRC 63.145 for up to 15 percent of proposed lots. As street frontage is a requirement of all proposed lots, this provision limits the number of proposed flag lots to 15 percent of the total number of lots. Several lots are proposed that do not have street system access and are therefore considered "flag lots" for the purpose of applying development standards. Staff review indicates that less than 15 percent of lots are proposed to be flag lots for each alternative. The following table shows the approximate percentage of flag lots for each proposed alternative:

TABLE 6
PERCENTAGE OF FLAG LOTS

	Segment C (Existing flow path of the NFPLR)	**Segment C "Option A" (Proposed swale for NFPLR)**
Alternative 1 (Lots only)	3.9%	5.2%
Alternative 2 (Neighborhood Park)	3.5%	4.6%
Alternative 3 (Neighborhood Park and Elementary School)	3.3%	4.5%

Pursuant to SRC Table 63-1, flag lots are required to be served by an accessway conforming to the standards set forth below:

Accessway Standards (1-2 Lots):

-Length: 150 ft. Max.
-Width: 20 ft. Min.
-Paved Width: 15 ft. Min.
-Parking: Not Allowed
-Turnaround: Not required

Accessway Standards (3-4 Lots):

-Length: 400 ft. Max.
-Width: 25 ft. Min.
-Paved Width: 20 ft. Min.
-Parking: Not Allowed
-Turnaround: Required when accessway length is greater than 150 ft.

Staff analysis has demonstrated that all accessways conform to applicable requirements. Each accessway must be paved at the time of development. If the accessway serving proposed Lots 23 and 24 will also serve Lot 25, this accessway must be enlarged to the standards applying to accessways serving 3 to 4 lots, as reflected in Condition 8. Irrevocable access rights for all lots utilizing the proposed accessways shall be shown on the final plat map and recorded on the deeds for individual lots. Finally, no parking shall be allowed within any proposed accessway. In order to ensure conformance with these requirements, the following condition of approval shall apply:

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

7. Citizen and Neighborhood Association Comments

Comments Received Prior to Subdivision Review Conference:

A. Two area property owners submitted questions regarding the effect of the proposal on the existing capacities of area schools.

Staff Response: Comments from the Salem-Keizer School District indicate that based on the assumption of a maximum build-out of 730 dwellings, the capacities of existing schools will be exceeded. Although this will increase the strain on existing educational facilities, Oregon State Law prevents the City from imposing System Development Charges (SDCs) on the developer in order to help pay for new schools. The Applicant has been in contact with the school district and has submitted an alternative tentative plan that shows a portion of the subject property being sold to the school district and the City for a combined elementary school and park. Comments from representatives of the school district indicate that they currently will not be able to purchase the designated portion of the subject property for a new school. The School District does not preclude itself from purchasing a portion of the property within the 10-year validity of this Subdivision's decision.

B. One area property owner submitted comments suggesting the requirement of a forty-foot buffer area around the subject property adjacent to any Marion County EFU zone.

Staff Response: The current zoning of the subject property was established through Comprehensive Plan Change/Zone Change 05-12. A condition of approval of the zone change is to reserve a 30-foot-wide buffer around the portion of the subject property zoned RS (Single-Family Residential) adjacent to any agriculturally or industrially zoned land. This buffer will also include a sight-obscuring fence adjacent to the eastern boundary along the Urban Growth Boundary. This fence will separate the subject property from the adjacent Marion County EFU zone.

C. One area property owner submitted questions regarding the potential for a new City park to be located on the subject property.

Staff Response: One variant of the proposed subdivision plan shows a proposed park located in the northern section of the subject property and another proposes a combined school-park option. The City acquires parkland depending on available funding levels and the suitability of the subject property to provide parkland that is consistent with the Park System Master Plan. Comments from the Community Services Department, Parks Planning Division indicate that the Applicant must provide land for a new park within the subject property as shown in the tentative plan.

D. The Northgate Neighborhood Association voiced questions about the notification area and whether or not all notification materials are similar.

Staff Response: On July 3, 2007, a "Notification of Subdivision Filing" was sent to the owners of all property located within 250 feet of the subject property, including those adjacent properties that are outside of the City limits. This mailing was the same for all persons notified.

E. One area property owner voiced questions regarding the traffic capacity of Kale Road and Hazel Green Road.

Staff Response: There would be an increase in the number of vehicle trips generated by this proposed development if completed. A Traffic Impact Analysis was submitted by the Applicant and is under review by the City Traffic Engineer. Boundary street and linking street improvement requirements will be imposed on the Applicant with the intention of ensuring that all boundary and linking streets are built to a configuration sufficient to handle the existing and future vehicle traffic. The Public Works Department has determined the required improvements to Kale and Hazel Green Roads as a result of the proposed development's impact to the existing street system. See Section 11, subsection A of this report for details on required infrastructure improvements.

Comments Received at the Subdivision Review Conference:

A. The Northgate Neighborhood Association provided comments at the subdivision review conference indicating that the Association supports the proposed development. Additionally, the Neighborhood Association appreciates the applicant's public outreach, that the proposal will provide affordable housing, and that it minimizes multiple-family development.

B. An area resident indicated that the City and Applicant should take measures to minimize the impact of traffic to Happy Drive NE, which is often utilized as a "shortcut" from Kale Road NE to Hayesville Drive NE.

Staff Response: Staff concurs that there is a potential impact of the development to traffic on Happy Drive NE. Although it is a collector street, it serves as the primary access point to single-family homes along its entire extent between Kale Road and Hayesville Drive. A condition of approval that requires $5,000 for traffic calming devices on streets including Happy Drive shall apply. Please see the attached Public Works memorandum (Attachment 6).

C. Three area residents voiced concerns with the probable impact of the proposed development on area schools, particularly to Hazel Green Elementary.

Staff Response: The City recognizes that the proposed development will increase the enrollment of area schools above their existing capacities. The City does not possess the authority to require the developer to dedicate land to the Salem-Keizer School District in order to mitigate the effects of area population increases. The Applicant has shown a willingness to provide land to the school district, but comments from district officials indicate that sufficient funds are not currently available to purchase this land.

D. An area orchardist expressed concerns with the incompatibility of heavy agriculture with residential uses. He suggests the requirement of a 40-foot wide buffer and fence taller than 6 feet in order to buffer the orchards from the subject property.

Staff Response: As part of Comprehensive Plan Change/Zone Change 05-12, a condition of approval was applied to the property which requires a minimum 30-foot yard between residential uses and industrial/agricultural uses. A fence along the portion of the subject property that abuts the Urban Growth Boundary is also required by this condition.

E. Two area residents expressed concern with the intersection of Cordon and Kale Roads, and that left turn lanes should be provided at this intersection.

Staff Response: The Public Works Department, Development Services Section has reviewed the Transportation Impact Analysis (TIA) submitted by the Applicant, which includes an estimation of the impact to this intersection. Although the intersection of Kale and Cordon Roads is under the jurisdiction of Marion County, a condition of approval will require that the Applicant coordinate with Marion County in order to make improvements to this intersection.

F. An area property owner expressed concerns that the discharge point of the North Fork of the Little Pudding River at the north side of Kale Road was blocked and may lead to flooding.

Staff Response: The Applicant has proposed improvements to this stream which will open the channel and either change or improve the discharge point. Furthermore, the proposed development may not result in any increase in storm water runoff over pre-development levels, and must construct a complete storm drainage system at the time of development, including a storm water detention area.

G. An area property owner and land developer expressed concerns about increases in crime rate and diminished public safety due to the establishment of multiple-family housing as part of the proposed development.

Comments Received After the Subdivision Review Conference:

A. One area resident commented to staff during a telephone conversation that the traffic impact to Happy Drive NE could be severe and would be intensified because Happy Drive NE is often used as a "shortcut" between Kale Street NE and Hayesville Drive NE.

Staff Response: A condition of approval requiring the developer to commit funding for traffic calming devices (speed bumps) on local and collector streets, including Happy Drive NE, shall be required in order to address increased traffic to those streets.

8. City Department Comments

A. The Police Department reviewed the proposal and indicated that an additional 0.5 police officer positions will be necessary in order to maintain current officer-to-population ratios.

B. The Fire Department provided comments expressing no concerns with the proposal and also that the placement of new fire hydrants must be reviewed at the time of development.

C. The Community Services Department, Parks Division (Urban Forester) reviewed the proposal and indicated that they have no comments.

D. The Public Works Department, Engineering Division, commented that a field survey and subdivision plat is required pursuant to Oregon Revised Statutes and the Salem Revised Code.

E. The Community Services Department, Parks Planning Division submitted comments indicating that a portion of the subject property is unserved by parkland and that the Applicant is required to comply with the conditions of UGA 07-1, which require the provision of a minimum 6.9 acres of parkland (Attachment 5).

F. The Public Works Department, Development Services Section provided comments regarding the availability of public infrastructure and recommended conditions intended to ensure that all public construction is consistent with the all applicable master plans and design standards. In summary, the Public Works department recommended the following conditions of approval:

- **Urban Growth Area Development (UGA) Permit** - Comply with the conditions of UGA Preliminary Declaration 07-1 issued June 25, 2007.
- No direct driveway access shall be allowed onto Kale Road NE or Hazel Green Road NE.
- Design and construct a complete storm drainage system at the time of development. The applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not surpass the hydraulic capacity of the Little Pudding River at the Hazelgreen Road NE crossing.
- Coordinate with Marion County to identify the need for and location of a special stormwater detention facility to serve the region.
- Determine the 100-year floodplain flow path along the North Fork Little Pudding River from Kale Road NE to Hazel Green Road NE.
- Construct the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road NE and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE

and Hazelgreen Road NE.

- Prior to the creation of the 400th lot, construct improvements at the Portland Road/ Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

- Provide pedestrian connectivity on both sides of Kale Road NE within the city limits to Portland Road NE. As directed by the Public Works Director, either:

  a. Construct curb, sidewalks, and gutter as specified by the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or

  b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.

- Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

- Construct left-turn lanes on Kale Road NE at each of the intersections into the subdivision.

- Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road NE to mitigate traffic impacts.

These comments are made a part of this report as Attachment 6.

9. Public Agency Comments

A. The Salem-Keizer School District reviewed the proposal and provided comments that are included as Attachment 4.

B. The City of Keizer reviewed the proposal and submitted comments proposing a condition of approval that the applicant must mitigate off-site traffic impacts to the Chemawa Interchange.

C. Marion County provided comments addressing intersection and storm drainage improvements (Attachment 7). Several conditions of approval have been suggested by the County. In order to ensure that the developer mitigate impacts to streets and drainages under the jurisdiction of Marion County, the applicant shall coordinate with Marion County to construct needed road improvements.

D. Salem-Keizer Transit provided testimony at the Subdivision Review Conference indicating that no transit route presently serves the subject property, but that an additional route could possibly be provided by December of 2007, provided a need and funding exist. A request from Salem-Keizer Transit is that the applicant provides land for future transit stops.

10. Private Service Provider Comments

As of the date of this staff report, no comments have been received from private service providers.

11. Criteria for Granting a Subdivision

Salem Revised Code (SRC) Chapter 63.046(b) and 63.051 set forth the criteria that must be met before approval can be granted to a subdivision request. This staff report addresses the approval criteria of SRC 63.046 (Decision of the Planning Administrator for a Subdivision) and evaluates the considerations of SRC 63.051(Purpose of Tentative Plan Review; Requirements and Conditions). The following subsections are organized with approval criteria shown in **bold**, followed by findings of fact upon which the Planning Administrator bases his findings. The requirements of SRC 63.051 are addressed within the specific findings which evaluate the proposal's conformance with the criteria of SRC 63.046. Lack of compliance with the following land division standards is grounds for denial of tentative plat approval or for the issuance of certain conditions necessary to more fully satisfy such conditions. The Applicant's proposed subdivision, for the purpose of dividing the subject property into as many as 730 lots as described above, was reviewed for compliance with the following standards. As detailed in the facts and findings of this staff report, including all attachments hereto, the following approval criteria have been sufficiently addressed to warrant approval of the tentative subdivision plan, subject to conditions.

Note: A second review will occur for the created parcels at the time of building permit application to assure compliance with the zoning ordinance. Compliance with conditions of approval to satisfy the subdivision ordinance is checked prior to city staff signing the final subdivision plat.

A. SRC 63.046(b)(1): Approval of the tentative subdivision plan does not impede the future use of the remainder of the property under the same ownership, or adversely affect the safe and healthful development of the remainder or any adjoining land or access thereto:

The subject property consists of 148.06 acres, all of which shall be affected by the proposed subdivision. A general tentative plan has been submitted with several variations to account for conditions and circumstances that are as yet contingent on several factors, including the potential for the acquisition of school and parkland, and the requirements of the Oregon Department of State Lands (DSL) for removal/fill work within the North Fork of the Little Pudding River. Proposed and required street connections are included to provide sufficient access to existing and planned streets and adjacent undeveloped properties, and the layout of the proposed subdivision responds to the physical constraints of the site while accommodating the City's planned street connections. As proposed and with conditions of approval, all of these alternative tentative plans are consistent with applicable development standards and uses proposed, and are consistent with the zones in which they are located. Furthermore, all proposed lots are suitable for their intended uses. The proposal involves only the subject property and there is no evidence that the proposed subdivision and subsequent development of the newly created lots will adversely affect public services to any surrounding properties. Approval of the proposed subdivision does not impede future use of the subject property or access to abutting properties, given the condition of approval of CPC/ZC 05-12 requiring a 30-foot-wide buffer to isolate the proposed residential development from adjacent agricultural uses. This criterion has been met.

B. SRC 63.046(b)(2): Provisions for water, sewer, streets, and storm drainage facilities comply with the city's public facility plan:

Storm Drainage: Pursuant to SRC 63.195, all lots shall be provided with adequate storm drainage connected to the storm drainage system of the city if such system is available at the time of development. There are public storm drainage facilities in Kale Road NE and a 36-inch public storm drain line within a 31-foot easement along the north property line that outfalls into the drainage swale within the property. The Applicant shall be required to design and construct a complete storm drainage system at the time of development, and shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal.

In terms of natural storm drainage ways, the North Fork Little Pudding River crosses through the subject property and there are two large drainage swales that drain into the Little Pudding River. The North Fork Little Pudding River drains over 640 acres, which classifies it as a Type "C" waterway as

defined in the Public Works Design Standards. The Type "C" waterway's conveyance systems shall be designed to accommodate fish passage to the greatest extent practicable as determined by the Director. Open channels shall be used exclusively except where culverts, bridges, or other closed systems are approved by the Director of Public Works. Due to the design flows for a Type "C" waterway requires it to carry a 100-year storm event. The design flow will need to be evaluated at the time of development and shall not increase the hydraulic capacity of the Hazelgreen Road NE crossing near Lake Labish Road NE. The Applicant must dedicate a drainage easement adjacent to the North Fork of the Little Pudding River. The open channel drainage easement shall be at a minimum the extent of the 100-year floodway, 10 feet from the top of recognized bank, or 15 feet from the stream centerline, whichever is greatest. All federal, state and local permits shall be required prior to any waterway improvements and disposal points. Refer to Public Works' comments (Attachment 6) for additional information pertaining to this stream.

In order to ensure that sufficient stormwater drainage facilities are available to serve the proposed development, the following conditions of approval shall apply:

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazel Green Road crossing.

Condition 12: Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazel Green Road.

Water: Pursuant to SRC 63.175, all lots shall be served by the public water system of the City of Salem and each lot shall have independent water service from the meter to the lot. There is a 16-inch public water line in Kale Road NE. As required by UGA 07-1, the Applicant must construct the following Salem Water System Master Plan facilities through the subject property within alignments approved by the Director of Public Works:

1. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

2. Extend the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property in an alignment approved by the Director of Public Works.

Refer to Public Works' comments (Attachment 6) for additional information pertaining to required water system facilities. In order to ensure that sufficient public water service is available to serve the proposed development, the following condition of approval shall apply:

Condition 14: Construct the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road NE and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Sanitary Sewer: Pursuant to SRC 63.185, each individual lot's residential structure shall be served by its own sanitary sewer service line. There is an 18-inch public sanitary sewer line in Kale Road NE, which according to UGA 07-1 "may not be able to serve the north portion of the subject property." There are no sanitary sewer lines in Hazel Green Road NE. Pursuant to UGA 07-1, the Applicant shall construct Salem Wastewater Master Plan lines necessary to connect the development to adequate sewer facilities in alignments approved by the Director of Public Works.

Refer to Public Works' comments (Attachment 6) for additional information pertaining to required sewer system facilities.

Streets: As described in Section 6 of this report, several internal streets are proposed to be constructed as part of the development, and boundary street improvements shall be provided to Hazel Green Road NE and Kale Road NE. With the exception of the extension of 49th Drive NE through the subject property, all proposed internal streets are to be designated as *local streets*. The extension of 49th Drive is to be a *collector street*.

Boundary Streets: The subject property is bounded by two major streets, Kale Road NE and Hazel Green Road NE. The existing conditions of these streets and boundary street improvements required by UGA 07-1 are detailed below:

Kale Road NE: This street is designated as a *minor arterial* street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way. Kale Road is an underimproved boundary street that has varied improvements and right-of-way adjacent to the subject property.

Pursuant to the requirements of UGA 07-1, the Applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of the centerline adjacent to the subject property. The Applicant shall also construct a 23-foot half-width improvement on the development side, including street lights and sidewalks, and a 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property.

Hazel Green Road NE: This street is designated as a *parkway* in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot right-of-way. Hazel Green Road is an underimproved boundary street with an approximate 24-foot turnpike improvement with a varied right-of-way adjacent to the subject property.

Pursuant to the requirements of UGA 07-1, the Applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side. The Applicant shall also construct a maximum 40-foot half-width boundary street improvement on the development side and a 17-foot turnpike improvement on the opposite side of the centerline along the full frontage of the subject property in an alignment approved by the Director of Public Works. These improvements shall include streetlights and sidewalks.

Both of these boundary street standards feature access controls with prohibit direct lot access. In order to ensure that such access is prevented, the following condition of approval shall apply:

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazel Green Road NE.

Internal Streets: The proposal includes a new internal *collector street* extension of 49th Avenue NE (49th Drive NE) and several new *local streets* laid out in a grid pattern. Requirements for these streets are described below:

49th Avenue Collector Street Extension: This street is designated as a future north/south *collector street* in the Salem TSP. This extension is to connect Kale Road NE to Hazel Green Road NE in a rough alignment with 49th Avenue NE to Lake Labish Road NE intersection at Hazel Green Road. The *collector* standard for this street depends on the Applicant's need for off-street parking, and is generally characterized by a 34-foot-wide paved improvement within a 60-foot-wide public right-of-way. A *Type B collector* requires a 40-foot-wide offset improvement that allows for parking on one side and a *Type A collector* requires a 34-foot improvement but does not allow parking.

Internal Streets: At the time of development, the Applicant shall be required to comply with *local street* standards (30-foot improvement within a 60-foot right-of-way) for all public streets within the proposed development in the alignments to be approved to the satisfaction of the Director of Public Works. *Local street* standards may be reduced to a 30-foot improvement

within a 50-foot right-of-way if: (1) the street is a cul-de-sac; (2) the existing cross slope is 8 percent or greater; or (3) the standard right-of-way would result in lot depths of less than 80 feet (SRC 63.235(f)). Sufficient right-of-way shall be dedicated at local street intersections to provide a 20-foot property line (turn) radius (SRC 63.225(g)). As shown on the tentative plan, all proposed streets will feature a 60-foot-wide public right-of-way.

General Circulation: Circulation through the subject property depends on primary connections to Kale and Hazel Green Roads via a proposed *collector street* extension of 49th Drive NE. Secondary local street connections are proposed at the current intersections of Bayne Street and Countryside Street with Kale Road, as well as a new local street intersection of proposed Northstar Street and Kale Road. Several local streets will intersect with the extension of 49th Drive NE where such connections are not precluded by the flow path of the North Fork of the Little Pudding River. The vast majority of lots have sufficient street frontage to provide legal access to those lots. Where this is not the case, the Applicant has proposed flag lots that shall obtain street system access through accessways to be constructed in conformance with the requirements of SRC Table 63-1.
Pursuant to SRC 63.225(p), applicants must provide for the extension of local streets to adjoining major undeveloped properties and with the existing street system, at an interval of no less than 600 feet, unless the Planning Administrator finds that physical or other existing conditions preclude such connections. Under a strict application of this requirement, two additional street connections would be required to Kale Road NE east of the proposed extension of 49th Avenue NE. The Applicant has provided findings indicating that the channel of the North Fork of the Little Pudding River presents a physical condition that precludes certain additional street connections, particularly those that may cross that stream. Consequently, no easterly connection need be provided across the Little Pudding River in the northern portion of tax lot 200 of Marion County Assessor's Map 062W32C.

Due to the current or proposed configuration of the swale for the Little Pudding River where it reaches Kale Road, access points are limited due to this unique physical condition. Also, the adjacent layout of local street connections on the south side of Kale Road diminishes the utility of additional street connections to conform to the 600-foot maximum interval. Comments from Public Works specifically address this issue:

> The Applicant's site plans reflect adequate connectivity to undeveloped properties where practical. Street connections to Kale Road are located at existing street connections as required. One additional connection was made to facilitate a northerly connection to a major undeveloped property to the north. Additional connections were not deemed necessary. Connectivity to the east along the "pan handle" is restricted due to the physical constraints of the North Fork Little Pudding River.

Consequently, there are two factors that limit the ability of the Applicant to provide additional connecting streets to Kale Road NE. One factor is the street pattern that is a result of the flow path of the North Fork of the Little Pudding River and the other is the existing street connections to the south of Kale Road NE. Also, as access control to Kale Road SE stipulates that connections may be spaced at a minimum of 370 feet, a connection at the eastern property line would likely be too close, at approximately 220 feet, to the intersection of Kale Road NE and Lawson Street NE. The sum of these factors support a determination by the Planning Administrator that physical conditions and existing development preclude additional connections to Kale Road NE and to the undeveloped property to the east of the North Fork of the Little Pudding River. Therefore, no street connections to boundary streets or to undeveloped property need be provided in addition to those shown on the tentative plan.

Traffic Mitigation: As required by UGA 07-1, the Applicant submitted a Transportation Impact Analysis (TIA) so that impacts to off-site transportation facilities could be anticipated and mitigated through required off-site transportation improvements. In order to ensure that off-site traffic impacts are mitigated and that affected linking streets and intersections are improved to accommodate increases in traffic generated by the proposed development, the following conditions of approval shall apply:

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional

westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by Public Works Director, either:

a. Construct curb, sidewalks, and gutter as specified the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or

b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.

Refer to the attached Public Works memorandum (Attachment 6) for additional details on required public transportation improvements.

Transportation Planning Rule Review: Oregon Administrative Rule (OAR) 660-012-0055(4)(b) states:

> Affected cities and counties that do not have acknowledged plans and land use regulations as provided in subsection (a) of this section, must apply relevant sections of this rule to land use decisions and limited land use decisions until land use regulations complying with this amended rule have been adopted.

The City of Salem has not adopted code amendments to fully comply with OAR 660-012-0045(3) or (4), the Oregon Transportation Planning Rule (TPR). The city is currently under periodic review for compliance with those sections of the TPR. Thus, the City of Salem must apply the relevant sections of OAR 660-012-0055(4)(b) to all land use and limited land use decisions. The TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed subdivision is a "limited land use decision" pursuant to Oregon Revised Statutes (ORS) 197.015, and has therefore been reviewed in terms of the State's TPR multi-modal connectivity requirements, and is consistent as follows:

(a) Mass Transit: No transit service is currently available to the subject property. Comments from Salem-Keizer Transit request that land should be made available for transit stops along Kale Road NE.

(b) Pedestrian Connectivity: No sidewalks are present on the development side of Kale Road NE or Hazel Green Road NE. The Applicant shall be required to either extend public sidewalks from the site's boundary on Kale Road to the intersection of Kale and Portland Roads, or to pay an in-lieu fee for such improvement (Condition 6).

(c) Bicycles: Kale Road is constructed with a varying improvement, between 21 to 24 feet in width. Hazel Green Road is constructed with a 24-foot-wide improvement. Paved shoulders are present on both roads.

Boundary street improvements shall be required in order to ensure compliance with the TPR with respect to bicycle and pedestrian connectivity. Any requirements for transit must be based on comments and suggestions from Salem-Keizer Transit (Cherriots). Comments from Salem-Keizer Transit indicate that no route presently serves the subject property, but that an additional route could possibly be provided by December of 2007, provided a need and funding exist. A request from Salem-Keizer Transit is that the applicant provide land for future transit stops. Compliance with this request is necessary to ensure that multi-modal connectivity to area transit stops is available. The following condition of approval shall apply to ensure that access to transit stops can be provided:

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazel Green Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

The subject property, as proposed and conditioned, can be served with adequate multi-modal transportation infrastructure, and the street system adjacent to the property can provide for safe, orderly, and efficient circulation of traffic into, through, and out of the property.

The comments provided by the Public Works Department dated September 19, 2007 (Attachment 6), indicated there are adequate public facilities to serve the proposed development. The Applicant is required to construct all infrastructure improvements to the standards detailed in Public Works comments and must comply with the requirements of UGA 07-1. In order to ensure that requirements of the UGA Preliminary Declaration are completed, the following condition of approval shall apply:

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued June 25, 2007.

Compliance with the requirements identified in Public Works' Comments and the requirements of UGA 07-1 (Attachment 8) satisfies this criterion.

C. 63.046(b)(3): The tentative subdivision plan complies with all applicable provisions of the Salem Revised Code, including the Salem zoning ordinance:

Finding: The Salem Revised Code (SRC), which includes the Salem Zoning Code, implements the Salem Area Comprehensive Plan land use goals and governs development of property within the city limits. The subdivision process reviews development for compliance with city standards and requirements contained in the Subdivision Code, Zoning Code, Salem TSP and the Water, Sewer and Storm Drainage System Master Plans, and adopted design documents applicable to residential development. Alternatives 2 and 3 show a proposed park, which is required pursuant to the Park System Master Plan. Provided that the Applicant provides parkland as required by UGA 07-1, the proposal is consistent with the Park System Master Plan.

A second review occurs for the created parcels at the time of building permit application to assure compliance with the zoning ordinance. Compliance with conditions of approval to satisfy the subdivision ordinance is checked prior to city staff signing the final subdivision plat. The proposed subdivision meets all applicable provisions of the Salem Revised Code as detailed below:

SRC Chapter 63 (Subdivisions): The intent of the SRC Chapter 63 subdivision code is to provide for orderly development through the application of appropriate standards and regulations. The Applicant met all application submittal requirements necessary for adequate review of the proposed subdivision. As proposed, and with conditions of approval, the proposed subdivision conforms to all applicable SRC Chapter 63 requirements.

Lot Configuration: Section 6 of this report contains a detailed analysis of all proposed alternative lot layouts and their individual configurations. Staff reviewed these configurations for parcel size, dimensional requirements, layout, street frontage, and access standards. In summary, as proposed and with conditions of approval, all proposed lot configurations are consistent with applicable requirements of the Subdivision Code and underlying zone, with the exception of minimum lot dimensions of the subdivision code as they are applicable to townhouse lots. The Applicant has requested a variance to these requirements which is considered in Section 12 of this report.

Adequate Utilities: Section 11, subsection B contains an analysis of existing utilities and sets forth requirements for additional public infrastructure necessary to serve the proposed development.

Boundary streets of sufficient capacity exist to serve the subject property, and the Applicant shall construct adequate sewer, water, and storm drainage facilities. In summary, as proposed and with conditions of approval, adequate utilities will be constructed to serve the proposed development.

Street Connectivity: Section 6 contains a detailed evaluation of the site plan and its provision of connecting streets to adjacent properties and existing boundary streets. Certain practical difficulties in providing adequate street connectivity exist insofar as the North Fork of the Little Pudding River is a barrier to eastward street connections. Additionally, the lot configuration of the proposed subdivision has been designed to accommodate the direction of this stream. Comments from Public Works indicate that the number and placement of proposed street connections are sufficient for adequate boundary street connectivity for the subject property, and that additional connections are not desirable because of the location of existing intersections in the vicinity. In summary, adequate street system connectivity has been proposed.

Hazards, Site Disruption, and Limitations to Development: The presence of the North Fork of the Little Pudding River must be accommodated in order to allow development of the subject property. A storm drainage easement consisting of the greatest of the following measurements must be established: the entire width of the 100-year floodway, 10 feet from the top of the recognized bank, or 15 feet from the centerline of the stream. The Applicant also must determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazel Green Road NE, and any development within that floodplain requires an approved floodplain development permit. In order to ensure compliance with this requirement, the following condition of approval shall apply:

Additionally, comments from the Oregon Department of State Lands indicate that a wetland determination/delineation must be submitted in order for DSL to determine whether or not a removal/fill permit should be required, and if so, what mitigation for the disturbance of wetlands shall be required. In order to ensure compliance with this requirement, the following condition of approval shall apply:

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Provided that the Applicant completes all conditions necessary to mitigate the potential hazard presented by the North Fork of the Little Pudding River, the subject property can be safely developed.

SRC Chapter 64 (Comprehensive Planning): The subdivision, as proposed and with conditions of approval, conforms to the Salem Area Wastewater Management Master Plan, Stormwater Master Plan, Water System Master Plan, and Salem Transportation System Plan as detailed in the findings under Section 10.B of this report. The subject property has been identified as a site that has deficient access to parkland, therefore, parkland must be provided as part of this development, as required by UGA Permit No. 07-1 (Attachment 8).

SRC Chapter 65 (Excavation and Fills): The provisions of SRC Chapter 65 insure that any excavation or fill adjacent to public right-of-way, or within a public easement, designated waterway, or floodplain overlay zone creates no imminent danger to public safety or public facilities and does not create a public nuisance. SRC Chapter 65 also prohibits excavation or fill that causes surface drainage to flow over adjacent public or private property in a volume or location materially different from that which existed before the grading occurred. There is no evidence that the subject property cannot be developed consistent with the provisions of SRC Chapter 65.

SRC Chapter 66 (Urban Growth Management): The Urban Growth Management Program, detailed in SRC Chapter 66, requires that prior to subdivision of property outside of the Salem Urban Service Area, an Urban Growth Area (UGA) Development Permit must be obtained. The proposed project is a subdivision and is located outside of the Salem Urban Service Area. A UGA Development Permit is required. This permit may be obtained by the Applicant provided that all required public facilities are provided as set forth in UGA 07-1 (Attachment 8).

SRC Chapter 68 (Preservation of Trees and Vegetation): The subdivision, as proposed, conforms to SRC Chapter 68 tree and vegetation protection standards. The tree preservation ordinance form (Exhibit M) submitted by the Applicant with the subdivision application indicates that there are 6 trees present on the property, 5 of which are intended for preservation. Therefore, a Tree Conservation Plan was submitted. The plan preserves 83 percent of existing trees on the subject property, and is therefore consistent with minimum preservation requirements. Deviation from an approved TCP may only be allowed through an approved TCP Adjustment. A final TCP map must be recorded with the

final plat and is subject to onsite verification at the time of final plat submittal.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

SRC Chapter 69 (Landslide Hazards): There are no landslide hazard susceptibility points mapped on the subject property. There are 3 activity points associated with a subdivision. The cumulative total of 3 landslide susceptibility points indicates a low landslide risk, therefore, no geological assessment is required.

SRC Chapter 132 (Landscaping): The provisions of SRC Chapter 132 require that all significant trees located within required yards, e.g., setback areas, be retained, or if removed, that the impact of the removal be mitigated through replanting measures. This provision of the code is a standard requirement that is applied ministerially and thus no additional conditions of approval are required to ensure that the subdivided property meets SRC Chapter 132 requirements.

SRC Chapter 133 (Off-street Parking, Loading, and Driveways): SRC Chapter 133 establishes minimum off-street parking space requirements and standards for the development of parking areas and driveways. Single family dwellings, duplexes, and townhouses are required to have a minimum of two off-street parking spaces per dwelling unit. At the time of future development of the subdivision a minimum of two off-street parking spaces will be required to satisfy SRC Chapter 133 requirements for parking. For multiple-family dwelling complexes featuring 4 or more dwelling units, a minimum of 1.5 parking spaces per unit shall be required. Sufficient parking must be included on any future site plans for the reserved multiple-family lots at the time building plans are submitted.
SRC Chapter 146 (Single Family Residential): A large portion of the subject property is zoned RS (Single-Family Residential). This zoning ordinance contains both use and development standards that apply to all property located within that zone. The proposal includes several alternative lot layouts, each of which includes several hundred single-family dwelling lots. The use component of the RS zone is satisfied as all proposed uses within that portion of the subject property affected by the RS zone are single-family residential. With regards to development standards, the proposed lots appear to be of such size and configuration to provide development consistent with SRC Chapter 146 provisions as discussed in Section 6 of this report. The subdivision, as proposed and conditioned, conforms to the provisions of SRC Chapter 146.

SRC Chapter 148 (Multiple-Family Residential): A large portion of the subject property is intended for multiple-family residential development. This area is split basically equally between the RM1 and RM2 zones, for the purpose of different density levels. Uses permitted within these zones are similar, with the exception that single-family homes are permitted within RM1 where they are not in RM2, and the density range is higher for RM2 than for RM1. Section 6 includes a detailed analysis of proposed development within these zones. All proposed uses within those zones are consistent with the requirements of the multi-family zones, and the proposed development is consistent with applicable development standards. The subdivision, as proposed, with variances, and as conditioned, conforms to the provisions of SRC Chapter 148.

D. 63.046(b)(4): The proposed subdivision provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development.

Finding: This proposal includes several new *local street* and a new *collector street*, as well as boundary street improvements to Kale Road and Hazel Green Road. As described in the Salem Transportation System Plan, "the City of Salem shall design its streets to safely accommodate pedestrian, bicycle, and motor vehicle travel" (Salem Transportation System Plan, Section 3-2 (Street System Element), Policy 2.1). This multi-modal approach is affected by the "Street Classification and System and Basic Design Guidelines" contained in Section 3, Table 11. In essence, all new streets are required to accommodate multiple-modal transportation options, including bicycles and pedestrians. In the case of local streets, all new streets are required to be "shared roadways" or include bicycle routes. This is possible because of the low-volume, low-speed design intent for local streets. Furthermore, *local streets* are required to include sidewalks to ensure pedestrian accessibility and safety. For *collector streets* the requirements are similar, with the exception that bicycle lanes or a bike route must be provided. As these new streets are required to accommodate multi-modal transportation options, the proposed subdivision will be required to provide for safe and convenient bicycle and pedestrian transportation within internal streets. In order to connect internal multi-modal

transportation with the existing street system, boundary street improvements are required. These improvements help enact the multi-modal design standards for existing streets, with a scope that includes, at a minimum, the full-frontage of the subject property. The end result of this two-tiered transportation approach is a multi-modal connection of each proposed parcel to adjacent existing developments.

Provided that the Applicant complies with all conditions of approval related to transportation and transit, and that all streets are constructed to the satisfaction of the Director of Public Works with regards to bicycle and pedestrian accommodations, this subdivision is consistent with this criterion.

12. Criteria for Granting a Variance for a Subdivision

Pursuant to SRC 63.330, the Planning Administrator may grant a variance from any of the requirements of SRC 63.115 to SRC 63.295 if, upon proper notice, and after written application and proof by the Applicant, the planning administrator finds that the conditions set forth in SRC 63.332 exist.

Variance Request: The Applicant requests variances to SRC 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2-zoned portion of the subject property. **Finding**: Townhouses are permitted uses within the RM1 and RM2 (Multi-Family Residential) zones. In both cases, the minimum lot areas required for townhouse lots are 1,500 square feet. Within the RM1 zone, the minimum lot dimensions required for townhouse lots are 20 feet in width by 70 feet in depth. It may be assumed that these are suitable dimensional standards for townhouses as these dimensions are targeted specifically for townhouses. Although the minimum lot size is the same for the RM2 zone, dimensional standards for townhouse lots are not addressed and the only lot dimensions set forth are similar to those required by SRC Chapter 63 "Subdivisions," or 40 feet by 70 feet. If strictly applied, the minimum dimensional standards of the RM2 zoning district would preclude most townhouse lots and require a minimum lot area of 2,800 square feet, thus obstructing a permitted use in that zone. Furthermore, the dimensional standards of SRC 63.145 and SRC 148.390 (a) are identical, implying that they are intended only for single-family homes (or duplexes in the case of SRC Chapter 148) and thus inappropriate for application to townhouse development. Pursuant to SRC 63.145(a), the minimum permitted lot width is 40 feet, or as may be otherwise allowed or required in the zoning district where it is located. This presents a clear connection between the subdivision code and the RM2 zoning code, whereby identical minimum lot standards set forth in both codes may be varied through the subdivision process. Consequently, the standard lot dimensional requirements in the subdivision code and restated in the RM2 zoning code may be regarded as one and the same.

The following is the consideration of the variances to the lot dimensions required by the Subdivision Code; specifically SRC 63.145 (a), which requires a minimum lot width of 40 feet, SRC 63.145(b), which requires a minimum lot depth of 70 feet and no more than 300 percent of the lot width, and 63.145(d), which requires a minimum 40 feet of street frontage. The intent of these variances is to allow townhouse lots with minimum dimensions of 20 feet by 70, which is the minimum lot dimensions set forth in the RM1 (Multiple Family Residential) zone. The Applicant has proposed twelve townhouse lots, the smallest of which will measure 25 feet in width and 100 feet in depth.

A. No variance shall be granted except upon a finding by the Planning Administrator that each of the following conditions is met:

(1) There are special conditions inherent in the property (such as topography, location, configuration, physical difficulties in providing municipal services, relationship to existing or planned streets and highways, soil conditions, vegetation, etc.) which would make strict compliance with a requirement of SRC 63.115 to 63.295 an unreasonable hardship, deprive the property of a valuable natural resource, or have an adverse effect on the public health, safety, and welfare;

Applicant's Statement: The location and configuration of the RM2 zoned portion of the subject site makes it conducive to townhouse lot development. The proposed townhouse lots will, in effect, create a transition area between the duplex lots being proposed in the RM1 zoned portion of the site and the future multi-family dwelling complex being proposed in the remaining RM2 portion of the site. However, to meet minimum density requirements of the RM2 zone, the townhouse lots need to be narrower that the prescribed 40 feet. Allowing

narrower lot widths for townhouse lots in the RM2 zone is consistent with narrower minimum lot width provisions of the RM1 and Compact Development overlay zoning districts.

Additionally, to provide an adequate building footprint for a narrower lot, the lot depth-to-width ratio needs to be varied. Otherwise, a 30-foot wide townhouse lot would be limited to a depth of only 90 feet, which crates an unreasonable hardship at the building permit phase to provide for necessary setbacks and building footprints.

Finding: Staff concurs with the Applicants statements. If strict application of the minimum lot width and frontage requirement of SRC Chapter 63 were required, the townhouse portion of the proposal would not be able to meet the minimum density requirement of 10, as a 40-foot-width would only allow nine townhouses. Furthermore, the dissonance of the subdivision code and the underlying zone code (which not only permits the proposed use but also encourages it by imposing a minimum density requirement), creates an unreasonable hardship in establishing this permitted use. This criterion is met.

(2) The variance is necessary for the proper development of the subdivision and the preservation of property rights and values;

Applicant's Statement: The requested variances are necessary to develop townhouse lots in the RM2 zone. Without the variances, the Applicant will not be able to meet minimum density requirements to provide for adequate building footprints.

Finding: Staff concurs with the Applicant's statement. This criterion is met.

(3) There are no reasonably practical means whereby the considerations found under (1) or (2) above can be satisfied without the granting of the variance;

Applicant's Statement: There are no reasonably practical means whereby townhouse lots can be developed in the RM2 zone without the granting of the variances.

Finding: Staff concurs with the Applicant=s statement. The variances are procedurally necessary in order to permit a use that is not adequately addressed in the lot standards of the subdivision code. This criterion is met.

(4) It is unlikely that the variance will have adverse effect on the public health, safety, and welfare, or on the comfort and convenience of owners and occupants of land within and surrounding the proposed subdivision or subdivision.

Applicant's Statement: The requested variances will have no adverse effect on public health and safety on surrounding property owners. Conversely, the requested variance will allow for the development of a transition area between the lower density duplexes and higher density multi-family dwelling complex.

Finding: Staff concurs with the Applicant's statement. As the variances are to allow through the subdivision code what is already permitted in the underlying zone, it is not likely that the proposed use would have any adverse effect on the public health and safety.

Conclusion, Variance Request: The variance to SRC 63.145 (specifically 63.145(a), 63.145(b), and 63.145(d)), in order to allow townhouse lots within the RM2-zoned portion of the subject property, is hereby GRANTED based on the fulfillment of the conditions and criteria set forth in 63.332.

13. Conclusion

Based upon the review of SRC 63.046 (b), the Findings set forth in Sections 11 and 12, and the comments and modifications described, the revised tentative plan complies with the applicable provisions of the Subdivision Code and the Salem zoning ordinance, and is in conformance with the purpose expressed in SRC 63.020 and the Salem Area Comprehensive Plan.

IT IS HEREBY ORDERED

The request to divide approximately 148.06 acres into multi-family and single-family residential lots, with six alternatives for such division resulting in up to approximately 730 lots, and concurrent variances to the lot dimensional standards of SRC Chapter 63.145(a) and (b), 63.145(d), and 148.390(a) in order to allow townhouse lots within the RM2 zoned portion of the subject property, which is zoned RM1 (Multiple Family Residential), RM2 (Multiple Family Residential), and RS (Single-Family Residential) (SACP designation "Multi-Family Residential" and "Single-Family Residential") and generally located within the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Maps 062W32C and 062W32D, tax lots 200, 800, 900, 1000, 1100, and 701) is hereby GRANTED subject to SRC Chapters 63 and 146 and the following additional conditions, to be satisfied prior to final plat approval, unless otherwise indicated:

Condition 1: Comply with the conditions of approval of Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South

Segment	Lot Number	Front Lot Line
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North
H	437	North
H	448	North
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point

of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazel Green Road crossing.

Condition 12: Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazel Green Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazel Green Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by Public Works Director, either:

a. Construct curb, sidewalks, and gutter as specified the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or

b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazel Green Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: July 2, 2007
State Mandated Decision Date: October 30, 2007
Decision Date: September 28, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

The Findings and Order of the Subdivision Review Committee for Subdivision 07-13, dated September 28, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the Applicant must complete the conditions

listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the Applicant from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **October 15, 2007, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

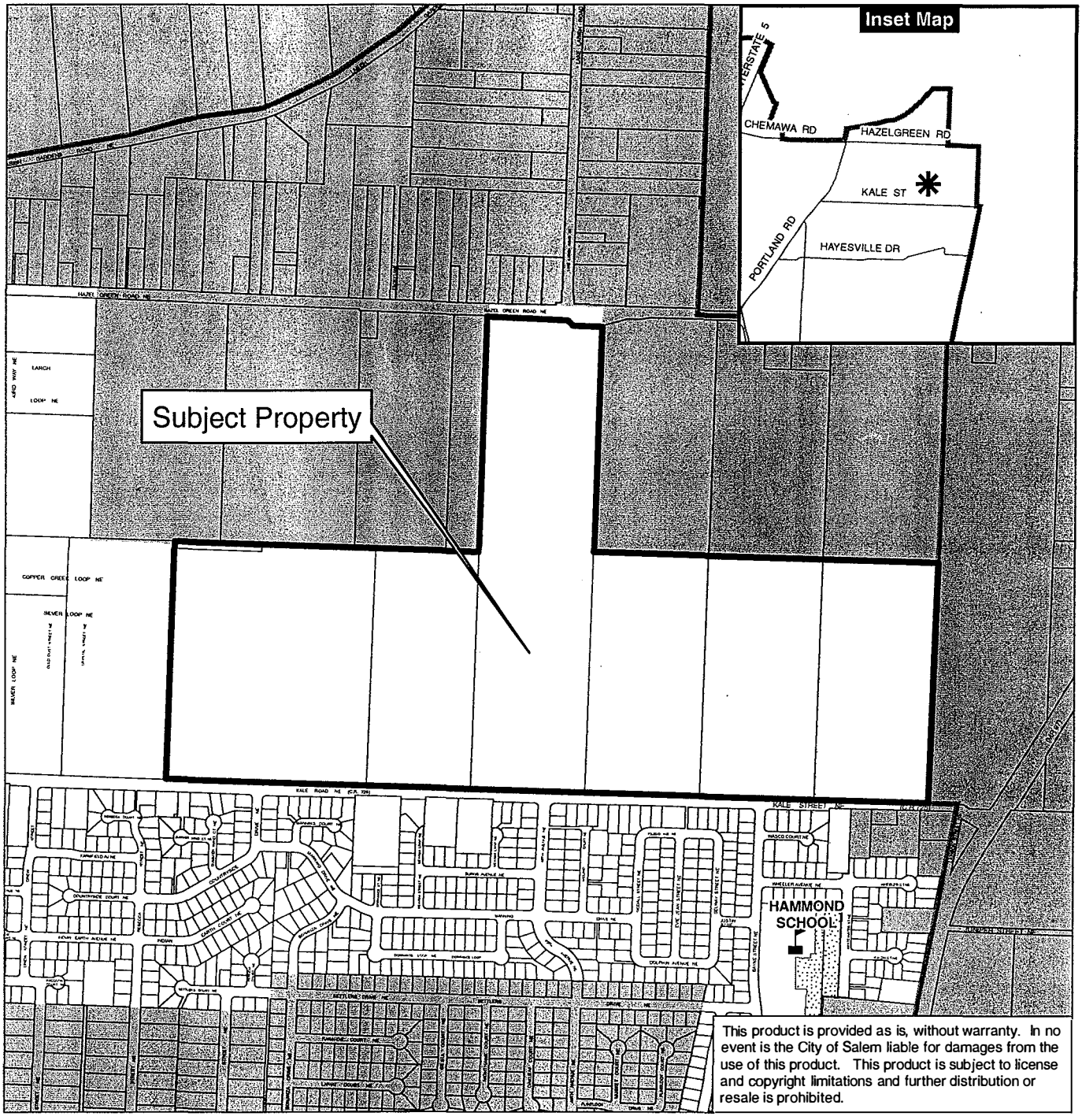
Glenn W. Gross, Urban Planning Administrator

Attachments:
1. Vicinity Map
2. Tentative Subdivision Plan
3. Applicant's Written Statement
4. School District Comments
5. Parks Division Comments
6 Public Works Comments dated September 19, 2007
7. Marion County Comments
8. Preliminary Declaration, UGA 07-1
9. Planning Commission Resolution No. PC 06-18, CPC/ZC 05-12

Prepared by Garrett Stephenson, Associate Planner

G:\Group\CD\PLANNING\STFRPRTS\2007\Subdivisions\SUB07-13_f&o_ghs.doc

Vicinity Map
4400-5200 blocks of Kale Road NE



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Legend

- Outside Salem City Limits
- Urban Growth Boundary
- Taxlots
- Schools
- Parks

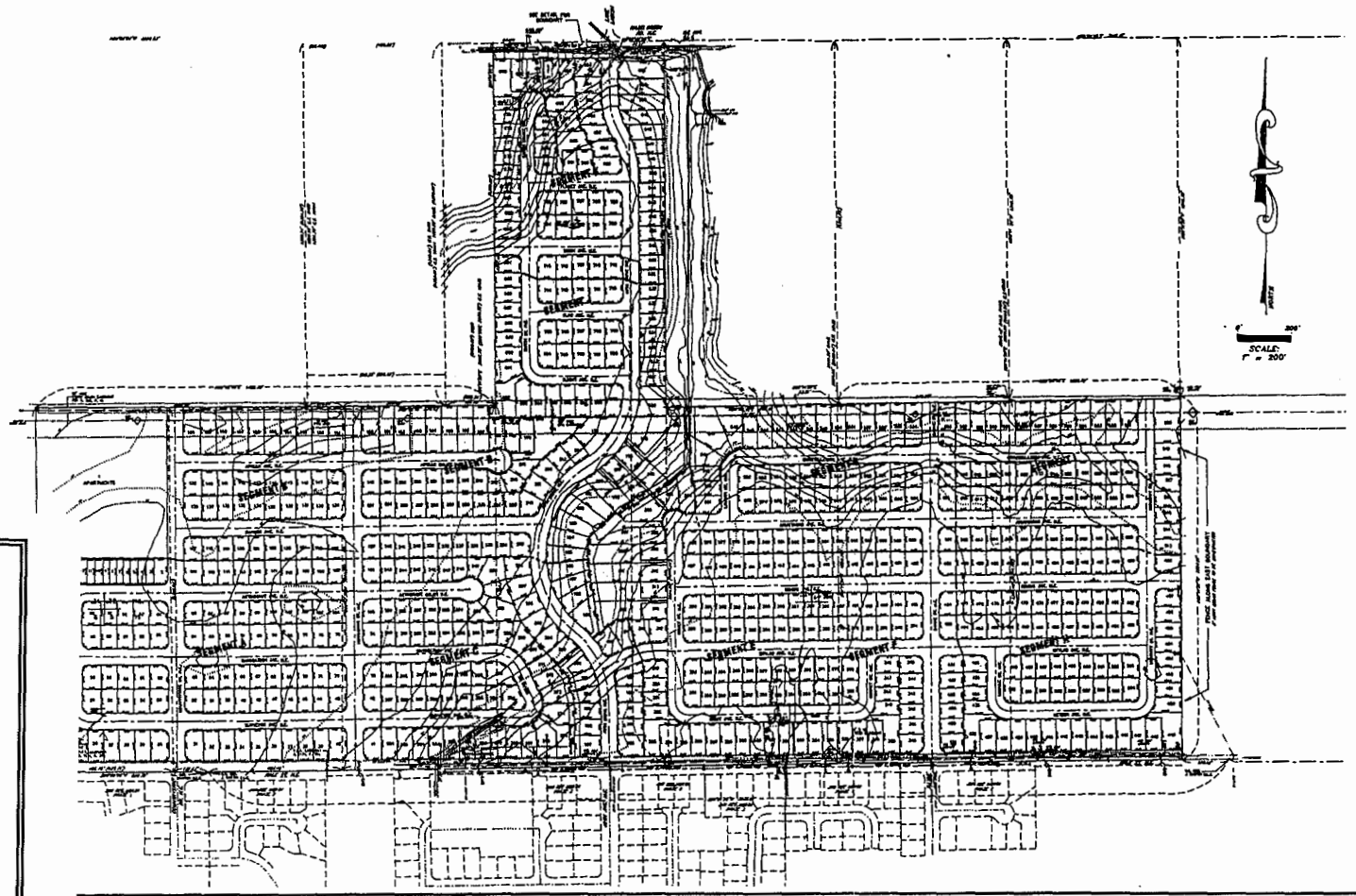
0 210 420 840 Feet

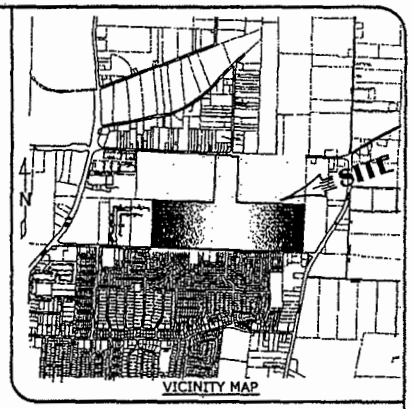
N:\CD\Proj\CP\Vicinity_Maps\2006_ARCHIVE\kale_rd_ne.mxd - 6/27/2007 @ 11:58:07 AM

ATTACHMENT 1

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





VICINITY MAP

Owner / Developer:

LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

NUMBER OF LOTS

OPTION 1 (LOTS ONLY) - 729
OPTION 2 (W/ PARK AND SCHOOL) - 669
OPTION 3 (W/ PARK ONLY) - 694

ATTACHMENT 2

TECH

NO SERVICES, INC.

MULTI-TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: N.O.G.
Drawn: J.P.H.
Checked: N.O.G.
Date: 7-26-2007
Scale: AS SHOWN
As-Built:

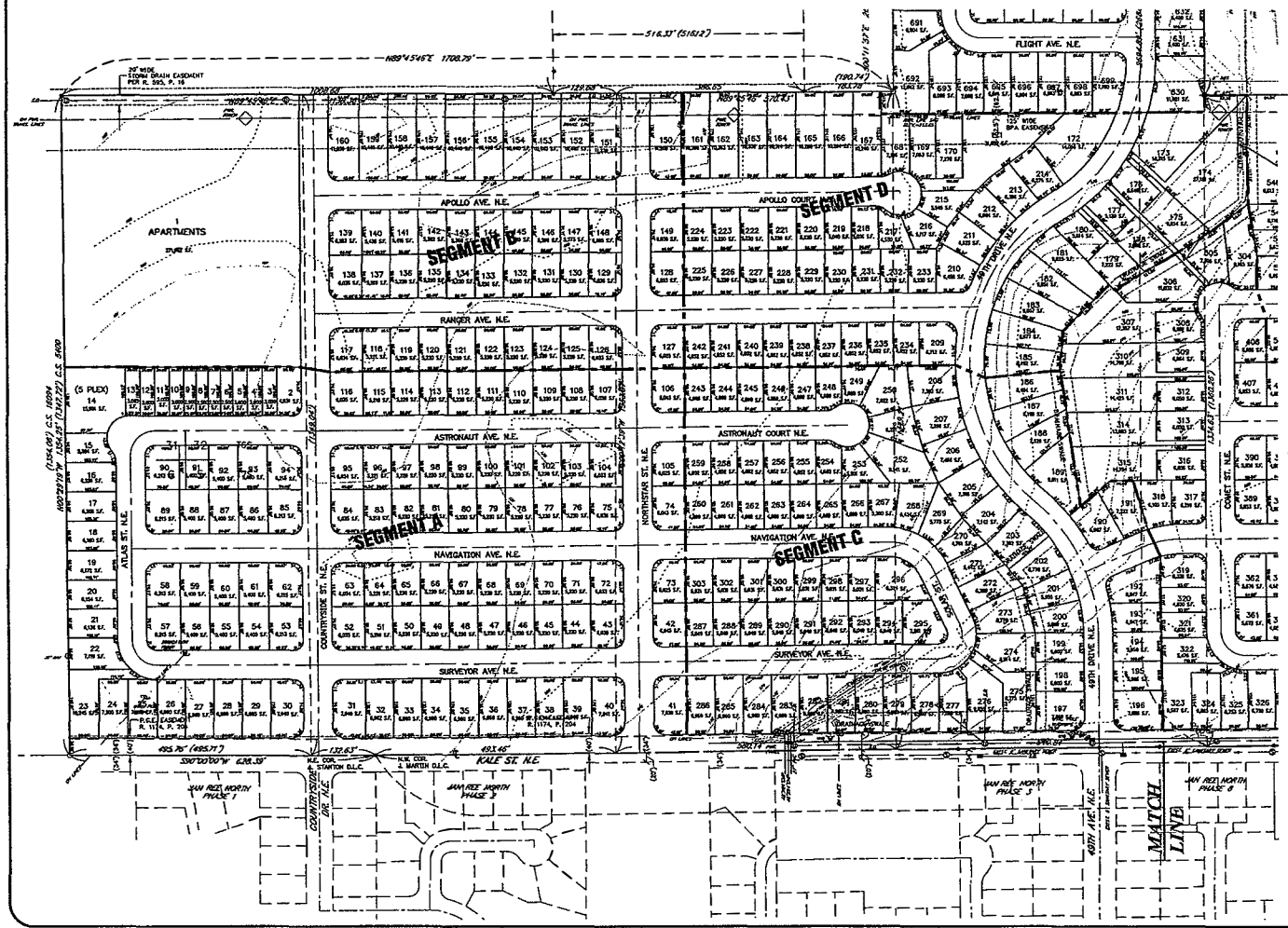
NORTHSTAR

PRELIMINARY PLAN

Drawing Number
4519
Sheet Number
1 of 7

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:
LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING COPY FROM LIABILITY IS NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER — OREGON

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: J.P.H.
Checked: M.D.G.
Date: FEB. 2007
Scale: AS SHOWN
As-Built:

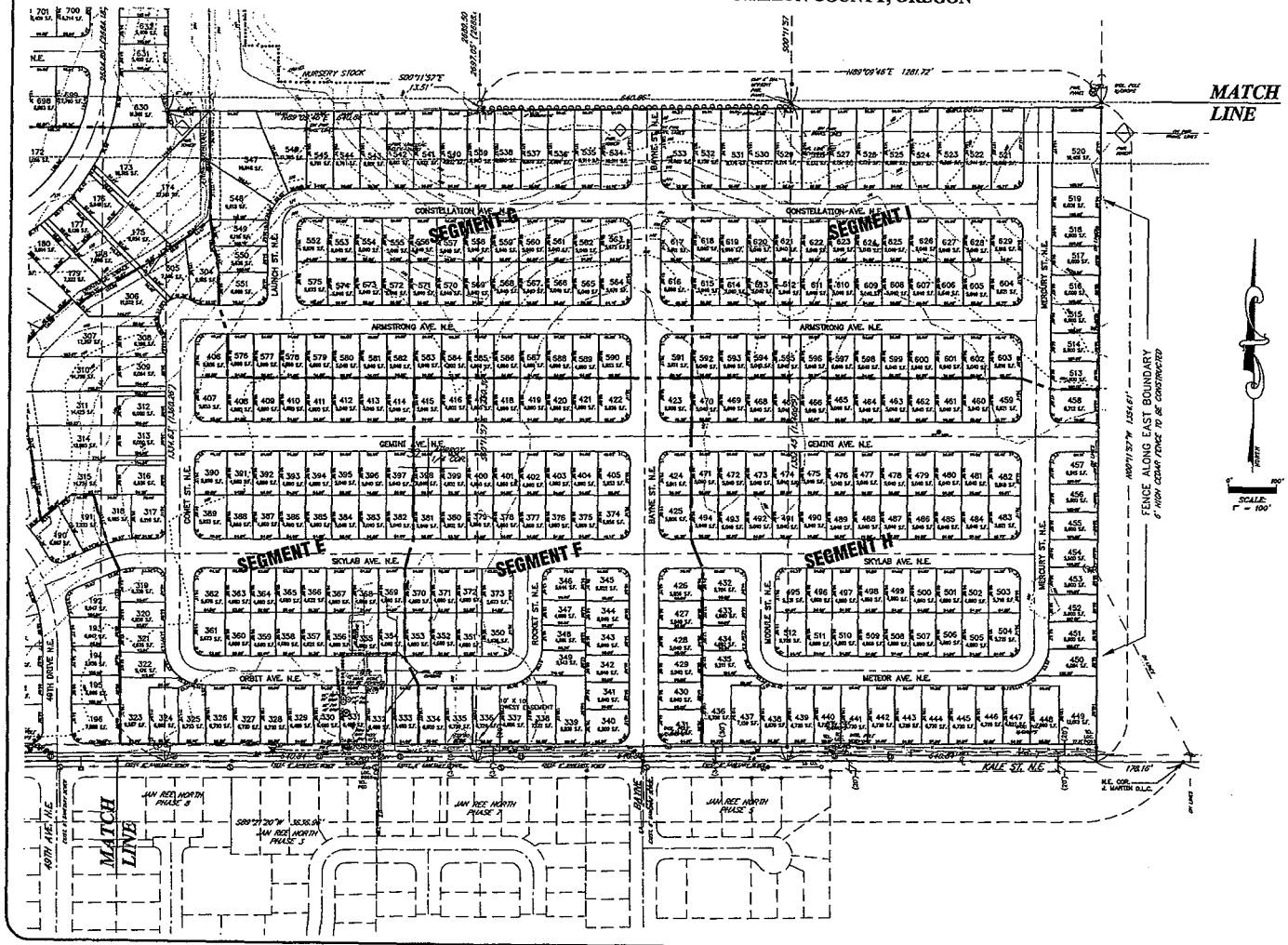
NORTHSTAR

PRELIMINARY PLAN

Drawing Number **4519**
Sheet Number **2 of 7**

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:
LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 10, 1981
MARK D. GRENZ
RENEWS: JUNE 30, 2007

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design:	M.D.G.
Drawn:	J.P.H.
Checked:	M.D.G.
Date:	FEB. 2007
Scale:	AS SHOWN
As-Built:	

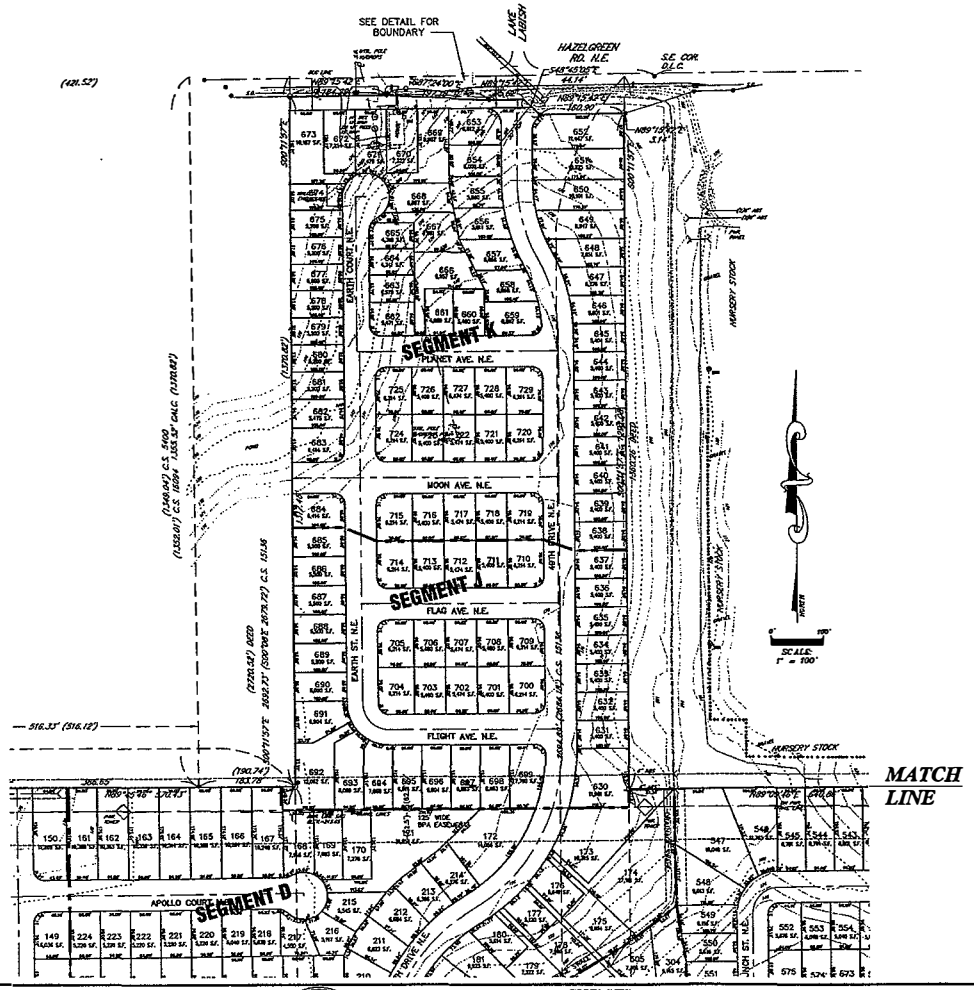
NORTHSTAR

PRELIMINARY PLAN

Drawing Number **4519**
Sheet Number **3** of **7**

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MATCH LINE

Owner / Developer:

LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER — OREGON

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: H.D.G.
Drawn: J.P.H.
Checked: H.D.G.
Date: FEB. 2007
Scale: AS SHOWN
As-Built:

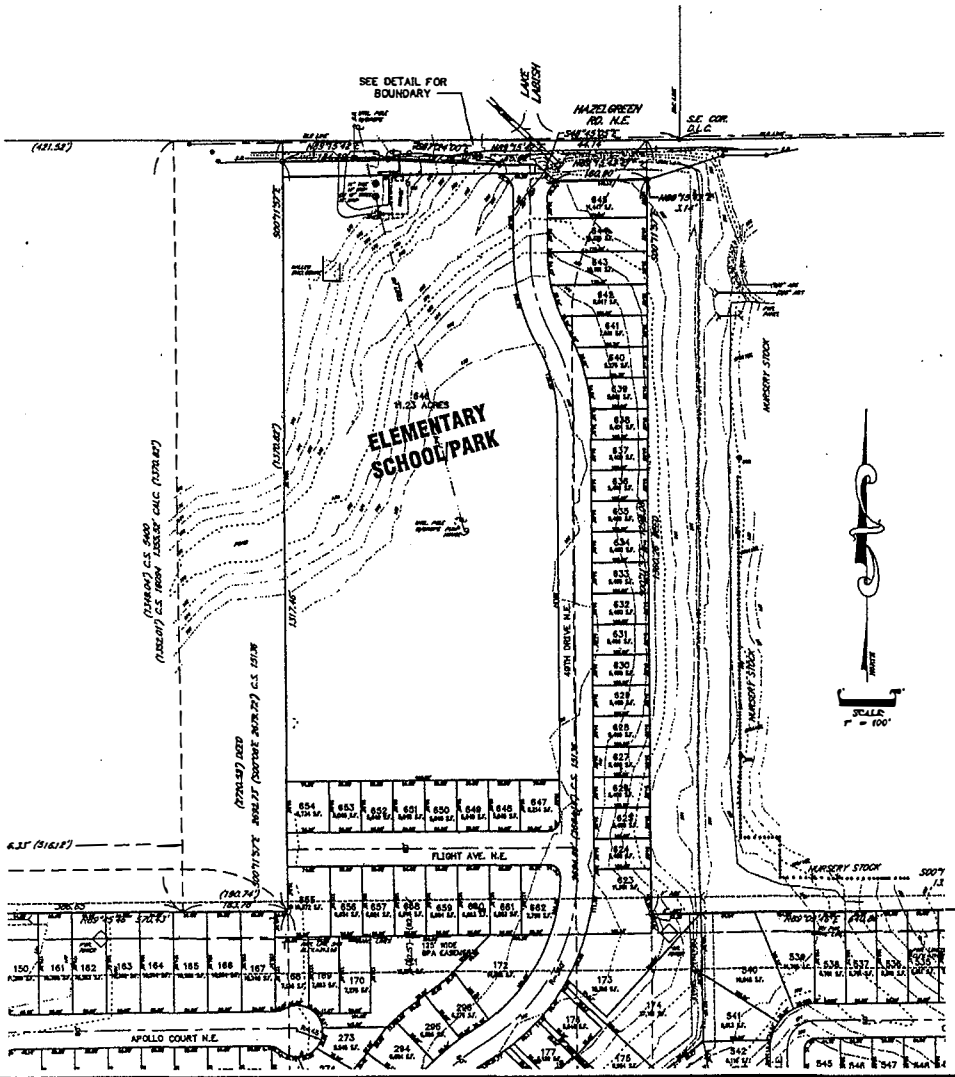
NORTHSTAR

PRELIMINARY PLAN

Drawing Number **4519**
Sheet Number **4 of 7**

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:

LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.

MULTI/TECH ENGINEERING SURVEY FIRM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER — OREGON

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: H.D.G.
Drawn: J.P.H.
Checked: H.D.G.
Date: FEB. 2007
Scale: AS SHOWN
As-Built:

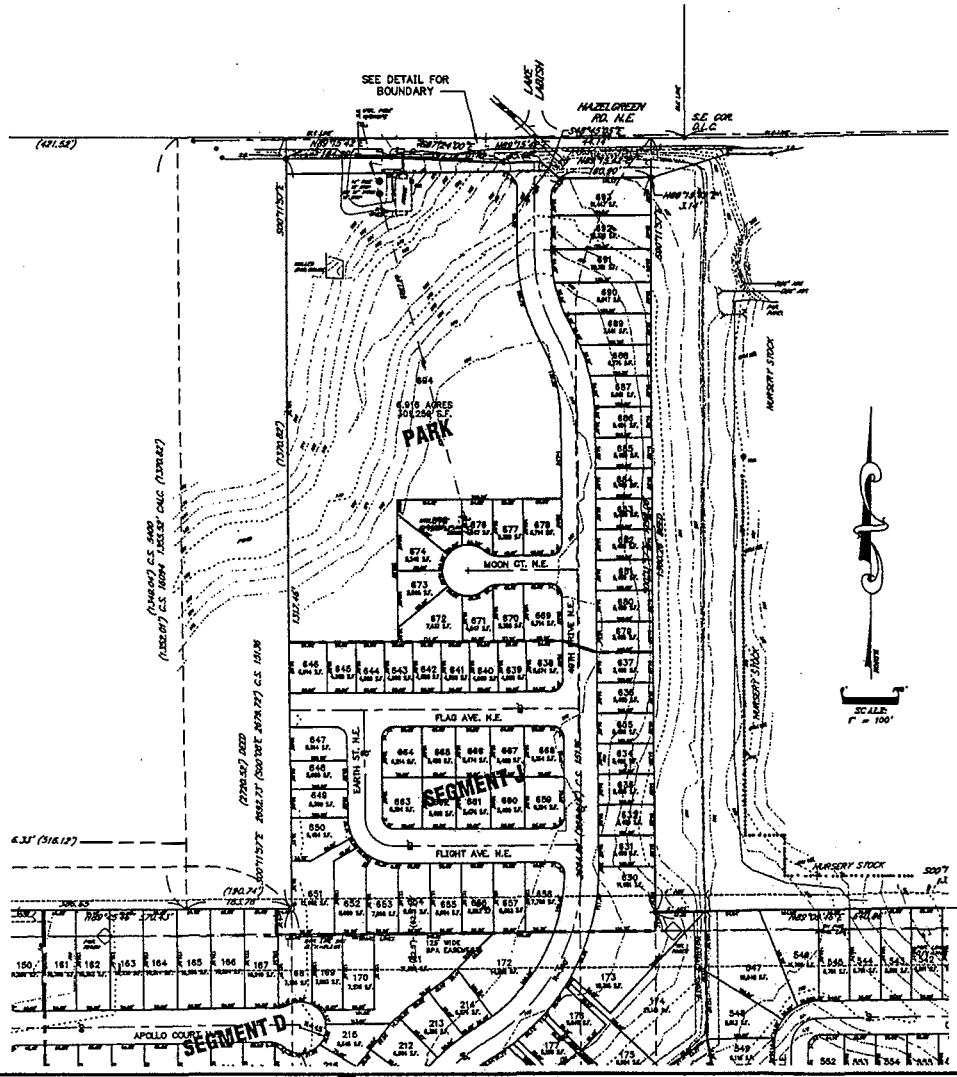
NORTHSTAR

SCHOOL/PARK OPTION

Drawing Number 4519
Sheet Number 5 of 7

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:
LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 1, 1977 — MARK D. GRENZ

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: J.P.H.
Checked: M.D.G.
Date: FEB. 2007
Scale: AS SHOWN
As-Built:

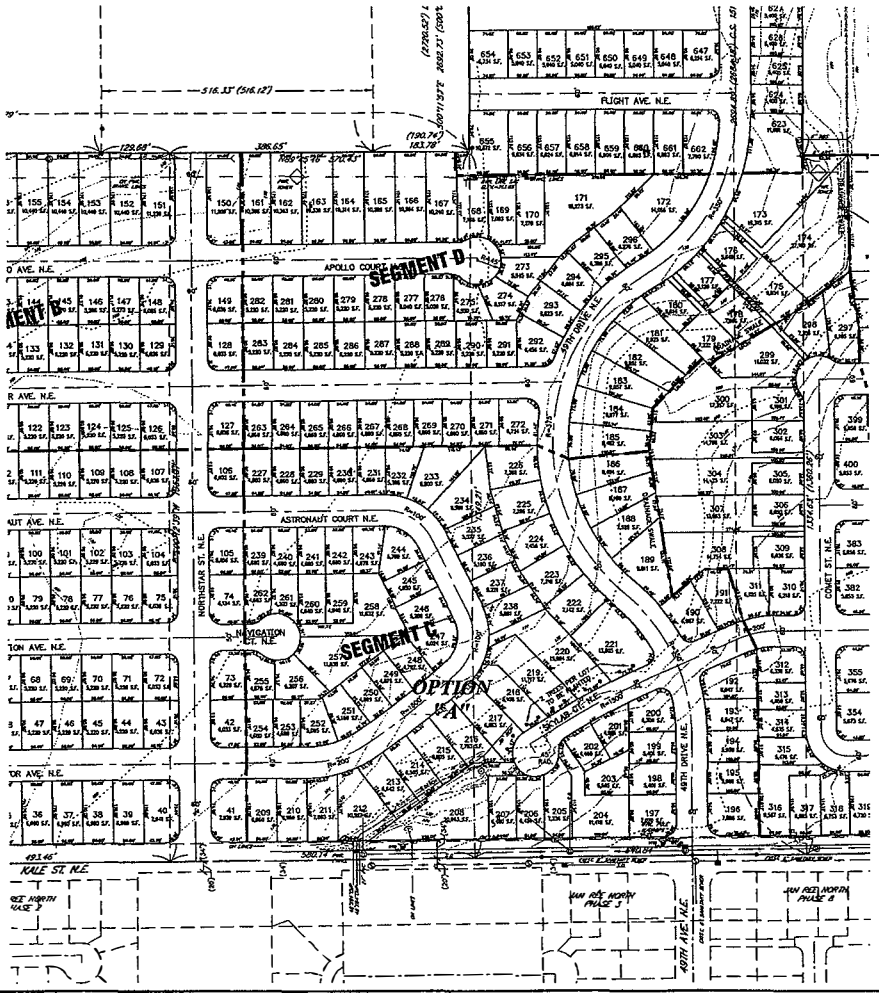
NORTHSTAR

PARK OPTION

Drawing Number 4519
Sheet Number 6 of 7

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Owner / Developer:
LAWRENCE T. EPPING
2485 LANCASTER DR. N.E.
SALEM, OREGON 97302

MULTI / TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING EXPIRES ON JUNE 30, 2007

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design:	M.D.G.
Drawn:	J.P.H.
Checked:	M.D.G.
Date:	FEB. 2007
Scale:	AS SHOWN
As-Built:	

NORTHSTAR

OPTION "A"
FOR SEGMENT "C"

Drawing Number **4519**
Sheet Number **7 of 7**

4/5/19

RECEIVED BY
MULTI TECH ENGINEERING
DEC 20 2007

ISSUE: Northstar Subdivision Plat No. 07-13 Amendment

DATE OF DECISION: December 18, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To modify conditions of approval 12, 17, and 20 of tentative subdivision number 07-13 (approved September 28, 2007), for property zoned RS (Single Family Residential), RM1 (Multiple Family Residential), and RM2 (Multiple Family Residential) and generally located within the 4400-5200 blocks of Kale Road NE.

ACTION:

IT IS HEREBY ORDERED

That Amendment to Subdivision Plat No.06-20 to divide approximately 25.86 acres into 103 lots with lots ranging in size from 5,314 square feet to 14,394 square feet in an RA (Residential Agriculture) zone and divide approximately 6.96 acres into a 62-lot townhouse development in an RM2 (Multiple Family Residential) zone with lot sizes ranging from 2,580 square feet to 7,210 square feet; with two concurrent variances: 1) to allow the finished street grades within the subdivision to exceed 12 percent (SRC 63.255(b)); and 2) to permit proposed Lots 1, 4, 5, 22 through 27, and 30 through 41 to be less then the 120-foot depth required for double frontage lots (SRC 63.145(b)) for property located at 1746 Davis Road S and 5991 Liberty Road S shall be GRANTED subject to SRC Chapters 63, 145, and 148 and the following conditions:

PRIOR TO FINAL PLAT:

Condition 1: Comply with the conditions of approval o f Comprehensive Plan Change/Zone Change 05-12.

Condition 2: Obtain any necessary demolition permits and remove all existing structures on the subject property.

Condition 3: Any existing unused wells shall be abandoned to meet the requirements of the Oregon State Board of Water Resources.

Condition 4: Any existing septic tank systems shall be abandoned.

Condition 5: All necessary (existing and proposed) access and utility easements must be shown on the final plat as determined by the Director of Public Works and recorded on the deeds to individual lots affected by such easements.

Condition 6: The deadline for final platting of the entirety of the proposed subdivision shall be 10 years from the date of tentative approval.

Condition 7: Use of lots 15 through 30, 53 through 62, and 85 through 94 shall be restricted to duplexes. Compliance with this condition is required at the time of building permit.

Condition 8: Proposed Lot 25 shall have either a minimum street frontage of 30 feet or obtain street system connectivity from the accessway proposed to serve Lots 23 and 24. In the latter case, the accessway must measure 25 feet in width and at the time of development, feature a 20-foot-wide paved surface. In neither case may the depth of Lot 25 be less than 120 feet.

City of Salem AT YOUR SERVICE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

SUBDIVISION REVIEW COMMITTEE

Condition 9: The following table shall set forth the front lot lines for all infill (flag) lots.

Segment	Lot Number	Front Lot Line
A	23	North
A	24	North
C	275	North
C (Option A)	203	West
C (Option A)	204	West
C (Option A)	207	North
C (Option A)	208	North
C (Option A)	220	Northwest
C (Option A)	258	South
C (Option A)	259	South
C (Option A)	260	South
D	169	South
D	170	South
D	171	South
D	174	Northwest
D	175	Northwest
D	178	Northwest
D	179	Northwest
E	307	East
E	310	East
E	311	East
E	314	East
E	315	East
E	323	North
E	324	North
F	338	North
F	339	North
H	436	North

Segment	Lot Number	Front Lot Line
H	449	North
J	692	North
K	666	West
K	667	West
K	669	South
K	670	South
K	672	South
K	673	South

Condition 10: Reciprocal and irrevocable access rights for all parcels using the access way shall be included on the final plat and deeds for the individual lots. "No parking" signs shall be posted on both sides of the accessway.

Condition 11: The Applicant shall design and construct a complete storm drainage system at the time of development. The Applicant shall provide an analysis that includes capacity calculations, detention requirements, pretreatment, and evaluation of the connection to the approved point of disposal. The stormwater shall not increase the hydraulic capacity of the Little Pudding River at the Hazelgreen Road crossing.

Condition 12: ~~Coordinate with Marion County to identify the need for and location of a special storm water detention facility to serve the region.~~

Prior to any construction activity in Segments J or K, the applicant shall meet with Marion County to explore the availability of funding from the East Salem Service District, City of Keizer and the City of Salem, for a regional storm water detention facility. The results of said meeting to be provided to City of Salem Public Works.

Condition 13: The Applicant shall determine the 100-year floodplain flow path along the North Fork of the Little Pudding River from Kale Road to Hazelgreen Road.

Condition 14: Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing terminus in Portland Road NE, extend along Hazelgreen Road and connect to the 12-inch Master Plan line constructed in the 49th Avenue NE extension between Kale Road NE and Hazelgreen Road NE.

Condition 15: No direct driveway access shall be allowed onto Kale Road NE or Hazelgreen Road NE.

Condition 16: Prior to the creation of the 400th lot, construct improvements at the Portland Road /Hazelgreen Road NE intersection to mitigate impacts of the development. Improvements shall include northbound double left-turn lanes and an additional westbound receiving lane, and a separate eastbound right-turn-only lane. The improvements shall be approved by City Traffic Engineer and by Oregon Department of Transportation.

Condition 17: ~~Provide pedestrian connectivity on both sides of Kale Road within the City limits to Portland Road. As directed by the Public Works Director, either:~~

~~a. Construct curb, sidewalks, and gutter as specified in the City's Street Design Standards and convey land for dedication of adequate right-of-way to construct all required street and sidewalk improvements to the satisfaction of the Public Works Director; or~~

~~b. Pay a fee-in-lieu for all or a portion of the required right-of-way acquisition, and sidewalk improvements, in an amount specified by the Public Works Director.~~

Construct curbs along both sides of Kale Road NE's existing right-of-way and construct sidewalk along the north side of Kale Road NE from the east boundary of the subject property to Portland Road NE.

Condition 18: Contribute $5,000 to neighborhood traffic calming devices to be approved after investigation by the City Traffic Engineer for areas south of the development, including Happy Drive NE.

Condition 19: Construct left-turn lanes on Kale Road at each of the intersections into the subdivision.

Condition 20: ~~Coordinate with Marion County to construct improvements at the intersection of Cordon Road NE and Kale Road to mitigate traffic impacts.~~

The applicant shall obtain a Major Construction permit from Marion County to construct a left-turn refuge, designed to Marion County Standards, on Cordon Road NE at the intersection with Kale Road NE. The improvements shall be constructed or bonded prior to plat approval for Segments H or I. A copy of the permit shall be furnished to City of Salem Public Works Department.

Condition 21: Coordinate with Salem-Keizer Transit in order to provide transit stop locations and amenities along the frontage of Kale Road NE and Hazelgreen Road NE. Construct bus pullouts on Kale Road NE if requested by Salem-Keizer Transit.

Condition 22: The Applicant shall comply with the conditions of UGA Preliminary Declaration 07-1, issued on June 25, 2007.

Condition 23: The Applicant shall submit a complete a wetland determination/delineation to the Oregon Department of State Lands.

Condition 24: Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site inspection.

Application Filing Date: October 15, 2007
State Mandated Decision Date: February 12, 2008
Decision Date: December 18, 2007

Decision Issued According to Salem Revised Code 63.046 and 63.332.

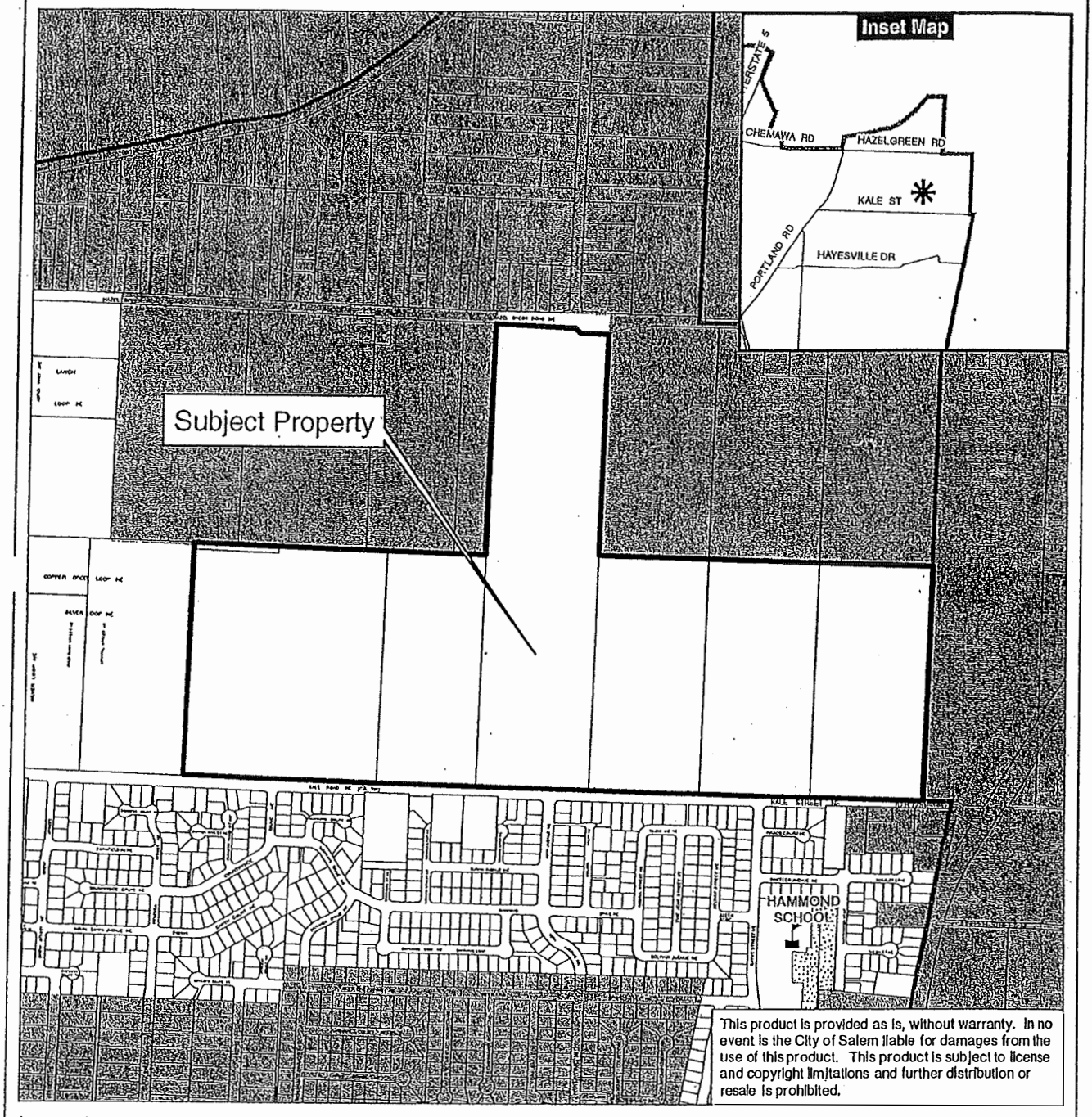
The Findings and Order of the Subdivision Review Committee for Subdivision 07-13A, dated December 18, 2007, are hereby adopted as part of this decision, and by this reference, incorporated herein. This tentative decision is valid and remains in effect for a period of two years. Under SRC 63.049, this tentative decision is void after two years if not finalized. To finalize the subdivision the applicants must complete the conditions listed above and prepare a final plat for review and approval by the City of Salem, per SRC 63.052, before recordation. Approval of a final plat does not relieve the applicants from complying with other applicable provisions of the Salem Revised Code or the Oregon Revised Statutes that may govern development of this property.

This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **January 2, 2008, at 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

Case Planner: Caroline Berry, Senior Planner, Ext. 7556, cberry@cityofsalem.net

Vicinity Map
4400-5200 blocks of Kale Road NE



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Legend

- Outside Salem City Limits
- Urban Growth Boundary
- Taxlots
- Schools
- Parks

0 210 420 840 Feet

N:\CD\Proj\CP\Vicinity_Maps\2006_ARCHIVE\kale_rd_ne.mxd - 6/27/2007 @ 11:58:07 AM

ATTACHMENT 1

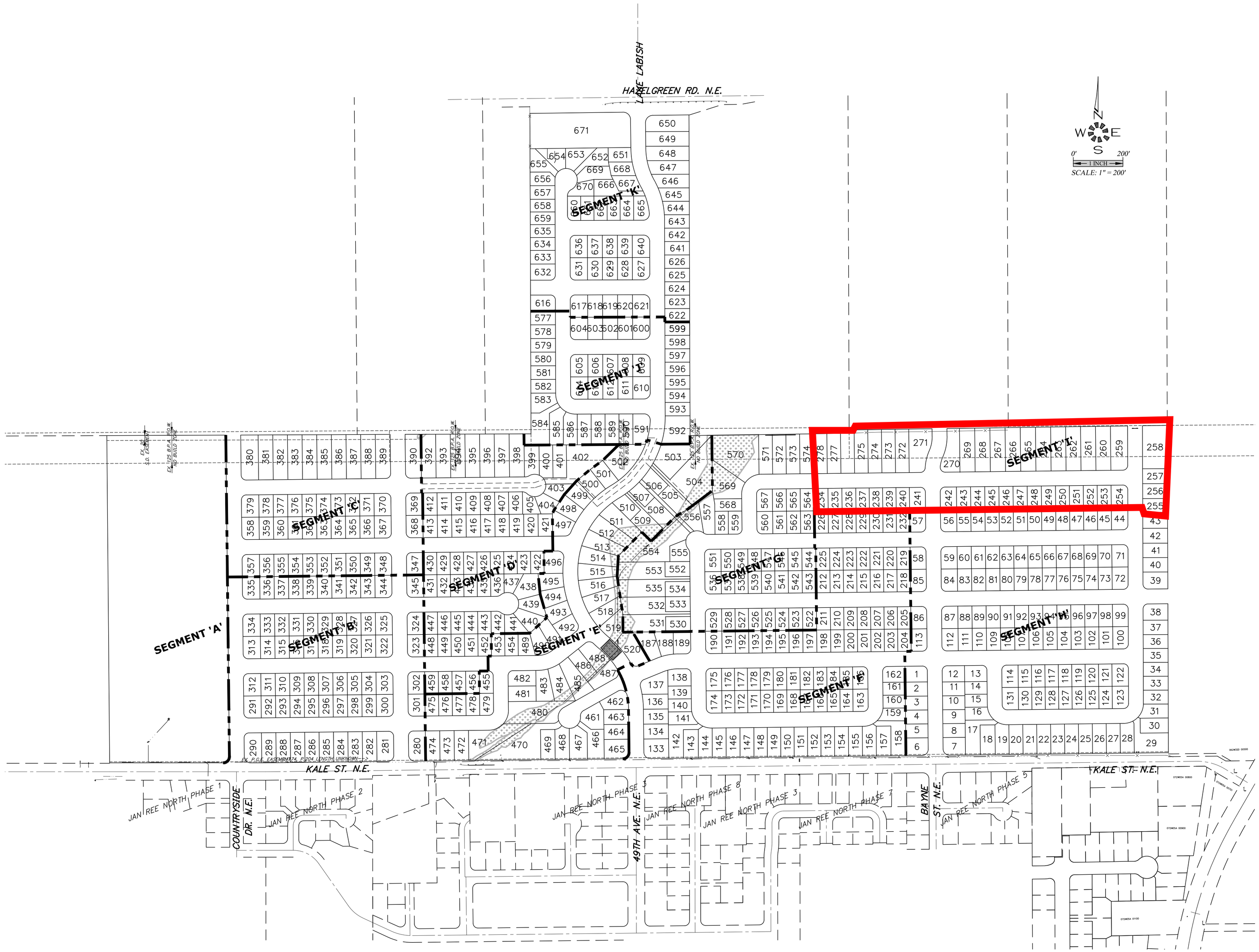
Owner / Developer:

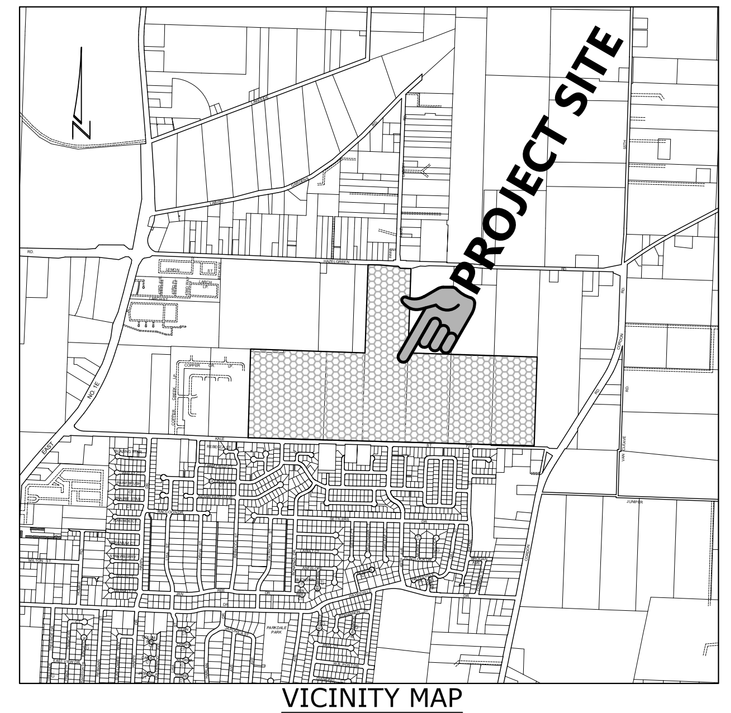
Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





VICINITY MAP

N
W E
S
0' 200'
1 INCH
SCALE: 1" = 200'

NUMBER OF LOTS BY SEGMENT

SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	63	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	−69	

Only Segment I was reviewed as part of this modification.

Attachment C

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

COVER SHEET

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS BY ANY OTHER PARTY WITHOUT AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_Subfinal 1 of 7.COV

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 4, 1974
MARION D. GRENZ
9/6/19

EXPIRES: 06-30-2019

JOB # 6610

1 of 7

J:\6600-6699\6610-NorthstarSubare\Dwg s\6610_SubMod.dwg, 1 of 7--COV, 5/7/2019 5:19:40 PM, CSpikman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 2 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

2 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg.s\6610_SubMod.dwg, 2 of 7, 5/7/2019 5:19:47 PM, CSpielman

Owner / Developer:

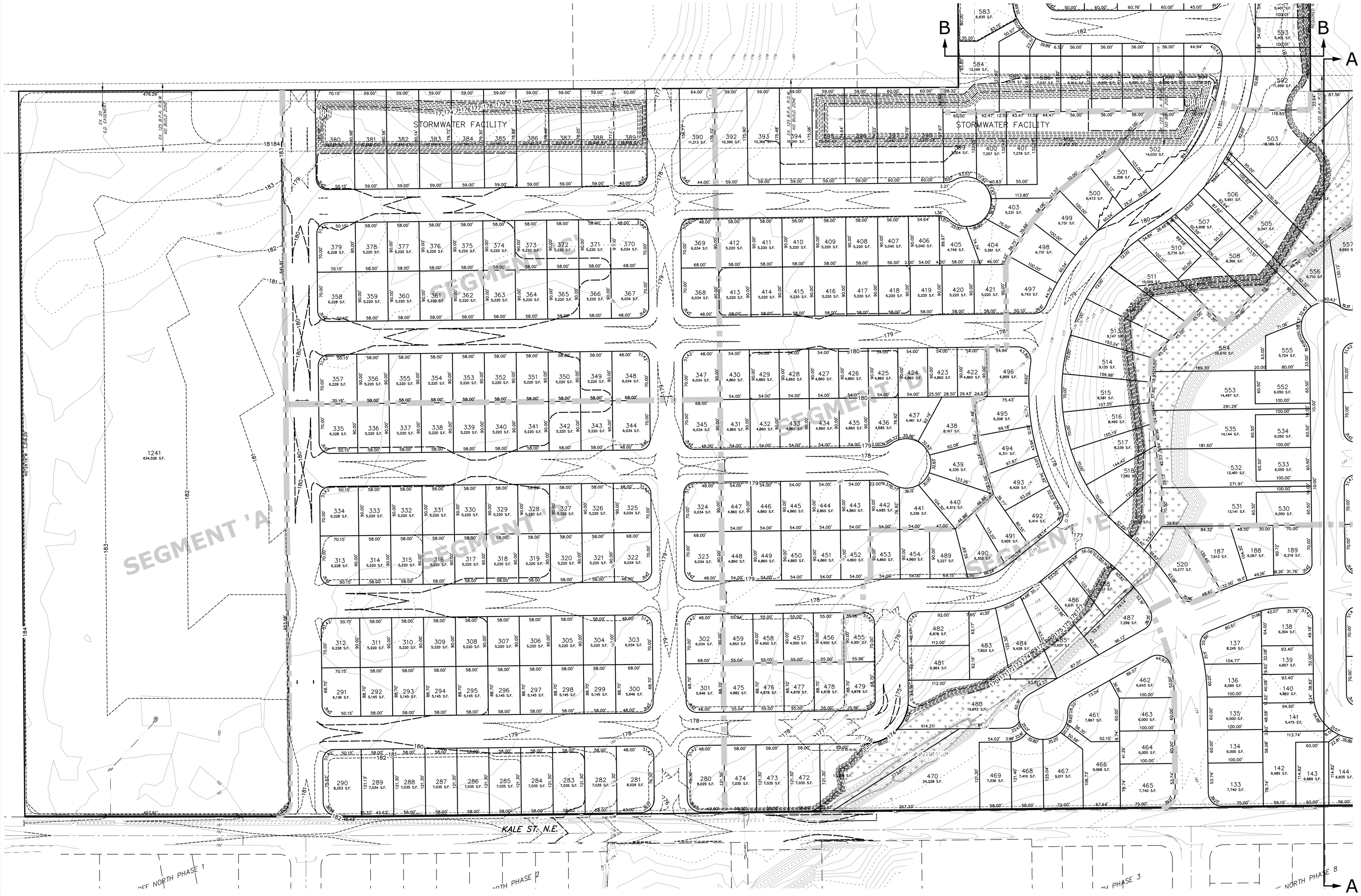
Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

N
W E
S
0' 80'
1 INCH
SCALE: 1" = 80'



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 3 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: -----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 9, 1976
MARK D. GRENZ
RENEWS: 6-30-2019

EXPIRES: 06-30-2019

JOB # 6610

3 of 7

J:\6600-6699\6610-NorthstarEuliana\Dwg - HB\6610_SubMod.dwg, 3 of 7, 5/7/2019 5:19:54 PM, CSpielman

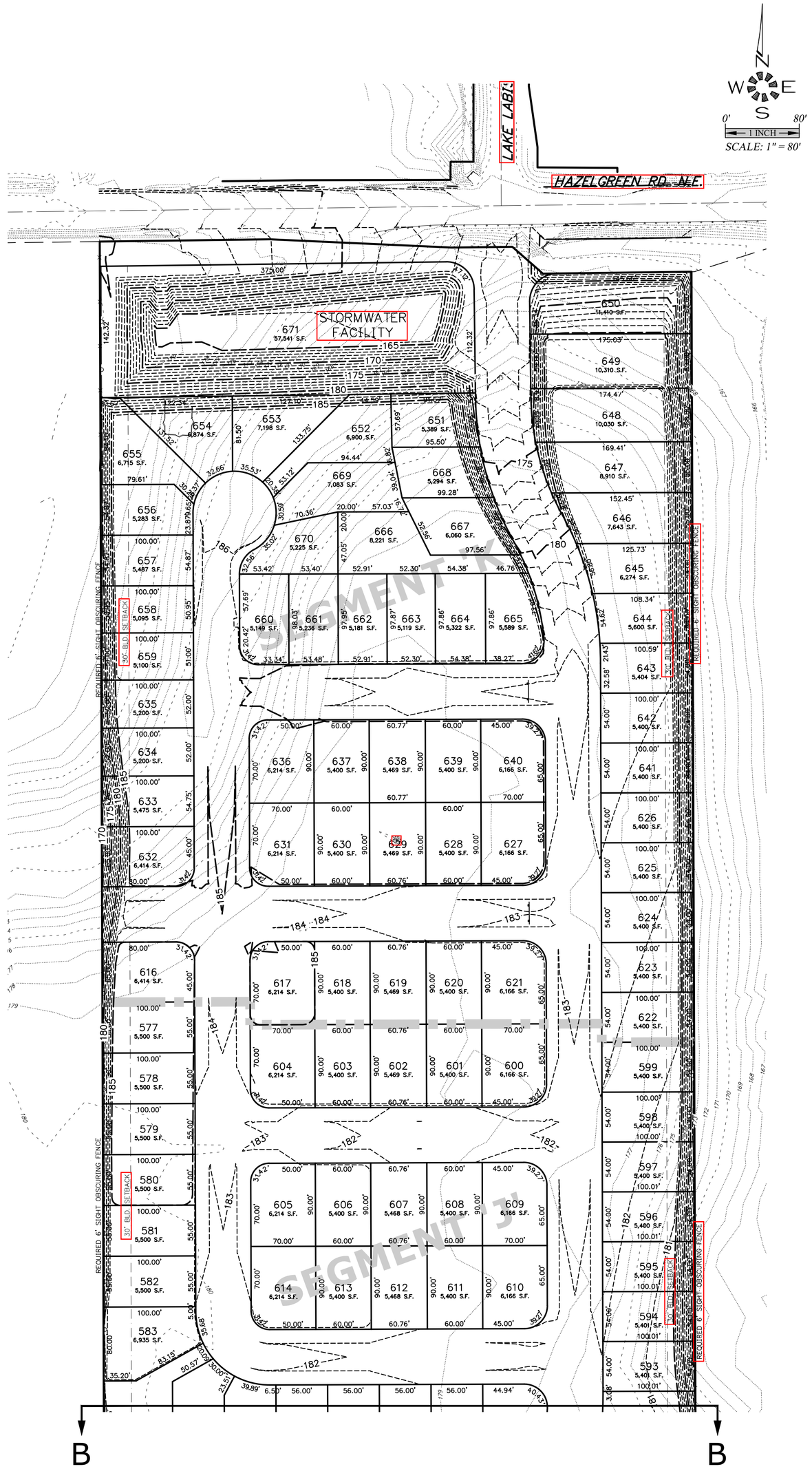
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING SERVICES EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 4 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----- ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

4 of 7

J:\6600-6699\6610-Northstar\Cad\Dwg-r18\6610_SubMod.dwg, 4 of 7, 5/7/2019 5:20:01 PM, CSpielman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE EXPRESS WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 5 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

5 of 7

J:\6600-6699\6610-Northstar\Future\Dwg #'s\6610_SubMod.dwg 5 of 7, 5/7/2019 5:20:07 PM, CSpilsmon

Owner / Developer:

Northstar Communities L.L.C.

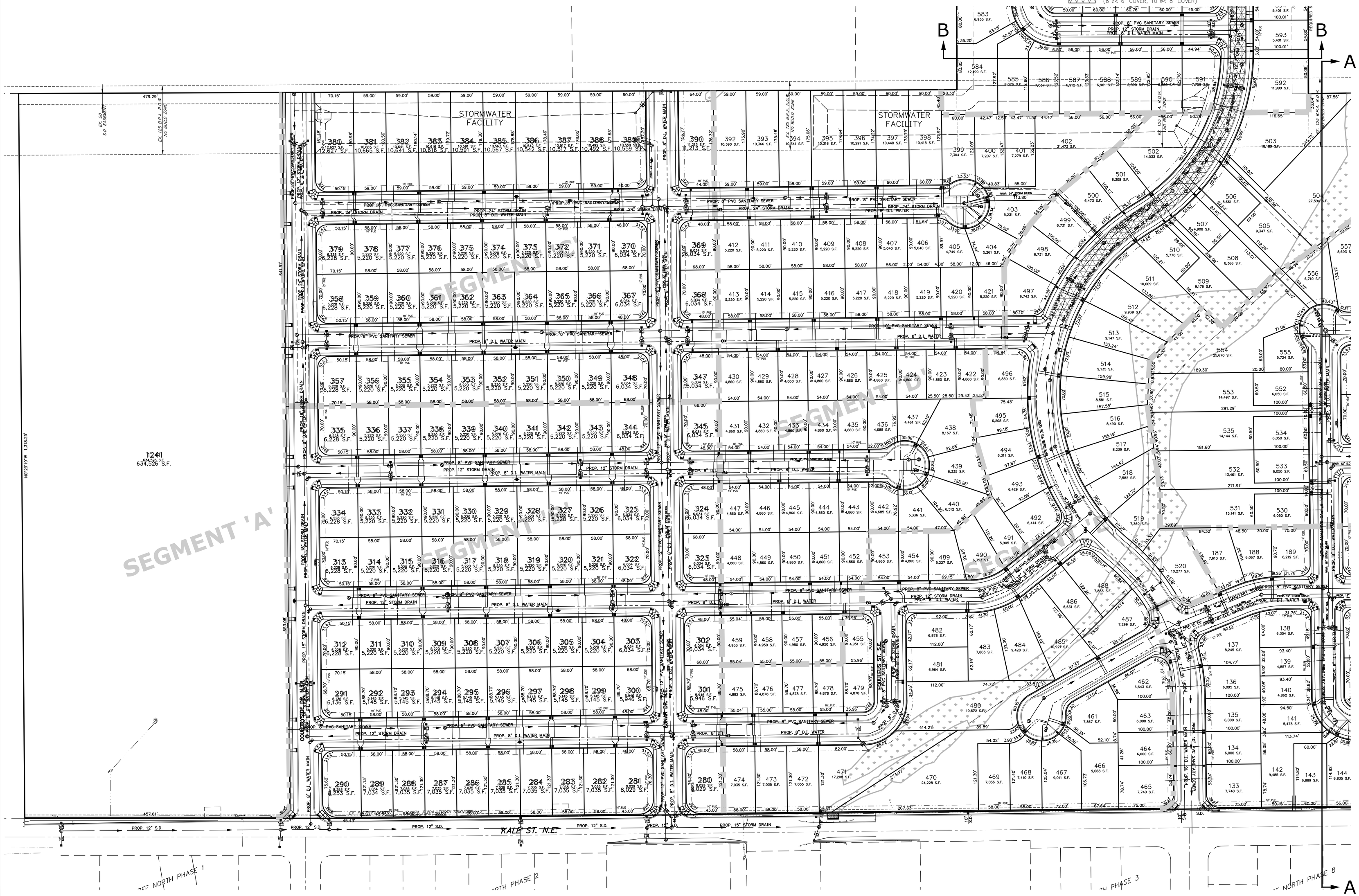
9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

THIS PORTION OF THE SANITARY SEWER MAY NOT MEET MINIMUM COVER REQUIREMENTS (8"≤< 6' COVER, 10"≤< 8' COVER)

N
W E
S
0' 80'
1 INCH
SCALE: 1" = 80'


B
A
STORMWATER FACILITY
SEGMENT 'A'
SEGMENT 'B'
SEGMENT 'C'
EX. 20' S.D. EASEMENT
EX. 125 B.P.A. R.O.W.
NO BUILD ZONE
479.29'
641.91'
N0°29'19"W 1,318.25'
11241 SQ.FT. 6 634,526 S.F.
457.61'
KALE ST. N.E.
PROP. 12" S.D.
PROP. 15" STORM DRAIN
PROP. 8" PVC SANITARY SEWER
PROP. 8" D.I. WATER MAIN
PROP. 12" STORM DRAIN
PROP. 24" STORM DRAIN
PROP. 4" PVC SANITARY SEWER
PROP. 10" PVC SANITARY SEWER
PROP. 8" D.I. WATER
PROP. 10" D.I. WATER MAIN
PROP. 6" D.I. WATER MAIN
PROP. 15" STORM DRAIN
PROP. 10" PVC SANITARY SEWER
PROP. 10" D.I. WATER
PROP. 6" PVC SANITARY SEWER
PROP. 6" D.I. WATER
PROP. 10" STORM DRAIN
PROP. 6" D.I. WATER MAIN
PROP. 10" D.I. WATER MAIN

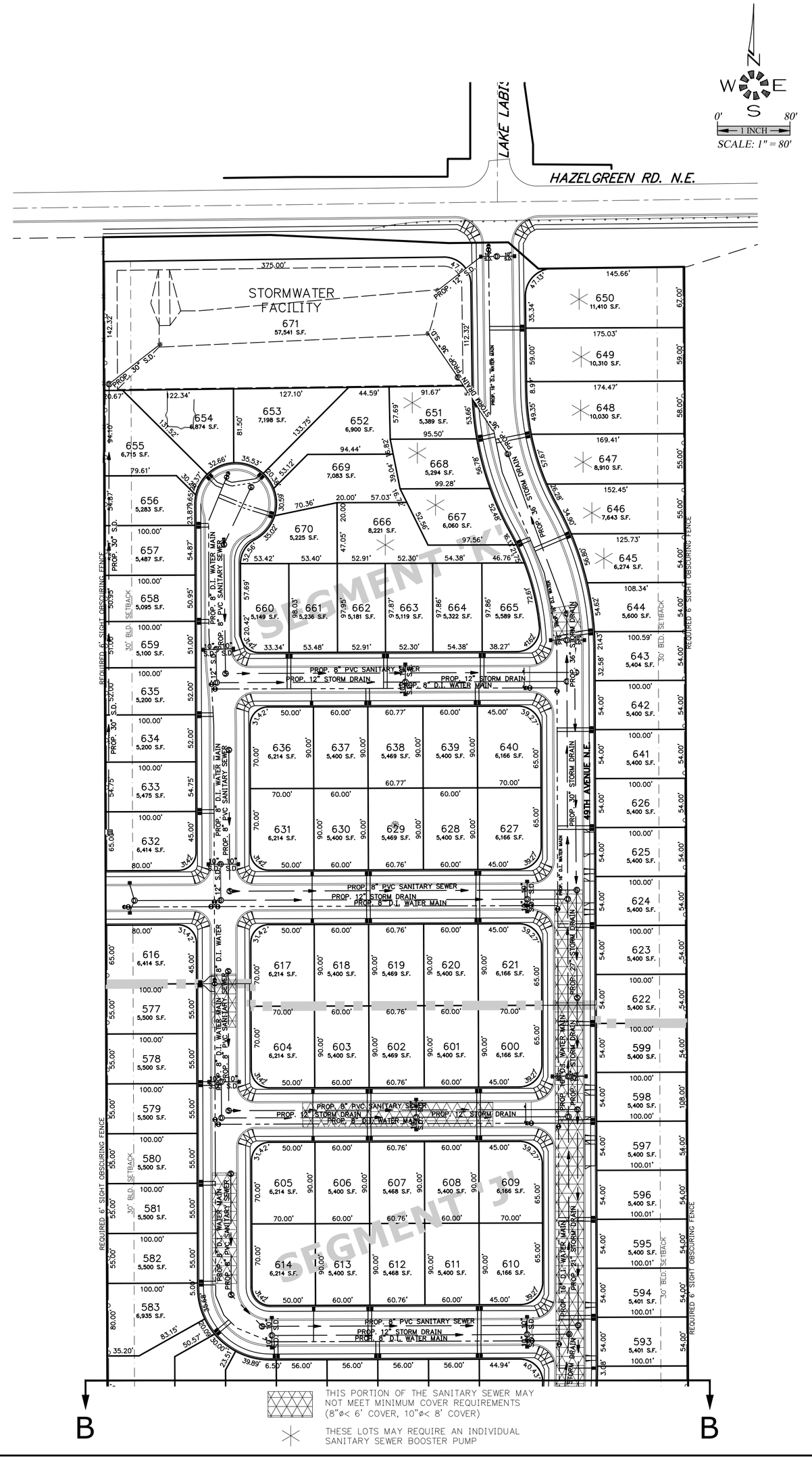
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON


N
W
E
S
0'
80'
1 INCH
SCALE: 1" = 80'
LAKE LABISH
HAZELGREEN RD. N.E.
STORMWATER FACILITY
671
57,541 S.F.
650
11,410 S.F.
649
10,310 S.F.
648
10,030 S.F.
647
8,910 S.F.
646
7,643 S.F.
645
6,274 S.F.
644
5,600 S.F.
643
5,404 S.F.
642
5,400 S.F.
641
5,400 S.F.
626
5,400 S.F.
625
5,400 S.F.
624
5,400 S.F.
623
5,400 S.F.
622
5,400 S.F.
599
5,400 S.F.
598
5,400 S.F.
597
5,400 S.F.
596
5,400 S.F.
595
5,400 S.F.
594
5,401 S.F.
593
5,401 S.F.
654
6,874 S.F.
653
7,198 S.F.
652
6,900 S.F.
651
5,389 S.F.
655
6,715 S.F.
668
5,294 S.F.
669
7,083 S.F.
656
5,383 S.F.
667
6,060 S.F.
670
5,225 S.F.
666
8,221 S.F.
657
5,487 S.F.
658
5,095 S.F.
659
5,100 S.F.
660
5,149 S.F.
661
5,236 S.F.
662
5,181 S.F.
663
5,119 S.F.
664
5,322 S.F.
665
5,589 S.F.
635
5,200 S.F.
634
5,200 S.F.
633
5,475 S.F.
632
6,414 S.F.
636
6,214 S.F.
637
5,400 S.F.
638
5,469 S.F.
639
5,400 S.F.
640
6,166 S.F.
631
6,214 S.F.
630
5,400 S.F.
629
5,469 S.F.
628
5,400 S.F.
627
6,166 S.F.
616
6,414 S.F.
617
6,214 S.F.
618
5,400 S.F.
619
5,469 S.F.
620
5,400 S.F.
621
6,166 S.F.
577
5,500 S.F.
578
5,500 S.F.
579
5,500 S.F.
604
6,214 S.F.
603
5,400 S.F.
602
5,469 S.F.
601
5,400 S.F.
600
6,166 S.F.
580
5,500 S.F.
581
5,500 S.F.
582
5,500 S.F.
583
6,335 S.F.
605
6,214 S.F.
606
5,400 S.F.
607
5,468 S.F.
608
5,400 S.F.
609
6,166 S.F.
614
6,214 S.F.
613
5,400 S.F.
612
5,468 S.F.
611
5,400 S.F.
610
6,166 S.F.
SEGMENT 1
SEGMENT 2
SEGMENT 3
49TH AVENUE N.E.
PROP. 8" D.I. WATER MAIN
PROP. 8" PVC SANITARY SEWER
PROP. 12" STORM DRAIN
PROP. 30" STORM DRAIN
PROP. 36" STORM DRAIN
PROP. 8" D.I. WATER MAIN W/ 12" STORM DRAIN
PROP. 8" PVC SANITARY SEWER W/ 12" STORM DRAIN
PROP. 8" D.I. WATER MAIN W/ 8" PVC SANITARY SEWER
PROP. 8" PVC SANITARY SEWER W/ 12" STORM DRAIN & 8" D.I. WATER MAIN

Olivia Glantz

From: Jeremy Grenz <JGrenz@mtengineering.net>
Sent: Wednesday, July 03, 2019 3:01 PM
To: Olivia Glantz
Cc: joseph.schaefer@jordanramis.com; Tim.Ramis@jordanramis.com; Karl@iecon.us; Mark Grenz, P.E.; Lisa Anderson-Ogilvie
Subject: SUB07-13A2-ADJ

Dear Olivia,
This letter is to confirm our meeting today and to request a revision to the pending application to modify the tentative subdivision plan and class 2 adjustment. In particular, we hereby withdraw the requests to modify Segments A, B, C, D, E, F, G, H, J, and K. The only remaining modification is to Segment I, which is necessary to approve the proposed lots which do not satisfy the code standard for lot depth ratio which requires a class 2 adjustment. We would like the City to issue a decision on the modification at your earliest convenience.

We will work with our team to submit a new modification application for the remaining segments very soon.

Thank you very much for your assistance and flexibility.

Sincerely,

Jeremy Grenz

PLANNING COMMISSION
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005
City of Salem AT YOUR SERVICE

Attachment E

RESOLUTION NO.: PC 06-18

COMPREHENSIVE PLAN CHANGE/ ZONE CHANGE NO. 05-12

WHEREAS, a petition for Comprehensive Plan Change from

"Industrial" to "Single Family Residential" and "Multiple Family Residential"

and a zone change from

IBC (Industrial Business Campus) and IP (Industrial Park) to RS (Single Family Residential – 132.59 acres), RM1 (Multiple Family Residential – 7.26 acres) and RM2 (Multiple Family Residential – 8.89 acres)

for property located at

4400 - 5200 Blocks of Kale Rd NE

was filed by

Granada Land Company (Larry Epping)

with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed plan was held before the Planning Commission on November 7, 2006, at which time witnesses were heard and evidence received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding including the testimony presented at the hearing, after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact dated November 7, 2006, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

Based upon the foregoing findings and conclusions, it is hereby ordered:

A. That the Salem Area Comprehensive Plan (SACP) map designation change for the subject property from "Industrial" to "Single Family Residential" and "Multifamily Residential" be GRANTED.

B. That the zone change from IP (Industrial Park) and IBC (Industrial Business Campus) to RS (Single Family Residential) and RM1 and RM2 (Multiple Family Residential) for the subject property be GRANTED, subject to the following conditions:

1. The applicant shall dedicate sufficient right-of-way to equal a half-width of 36 feet along Kale Road NE and construct a 23-foot half-street improvement on the development side of Kale Road NE when the property is developed.

2. The applicant shall link the proposed development to adequate water facilities; and adequate sewer facilities.

ATTACHMENT 9

3. The applicant shall provide a 30-foot wide buffer along the boundary of those properties designated RS (Single Family Residential) to buffer the proposed residential land from Industrial Designated and agriculturally zoned land, respectively. In addition, a sight-obscuring fence shall be required on the eastern boundary on the portion that abuts the urban growth boundary. Those boundaries that abut residentially designated land (RS, RM1 and RM2) shall not be subject to this condition.

4. The applicant shall provide appropriate Multiple Family Residential bufferyards as required by SRC 132 along the periphery of that property designated RM1 or RM2.

ADOPTED by the Planning Commission this 7th day of November, 2006.

President, Planning Commission

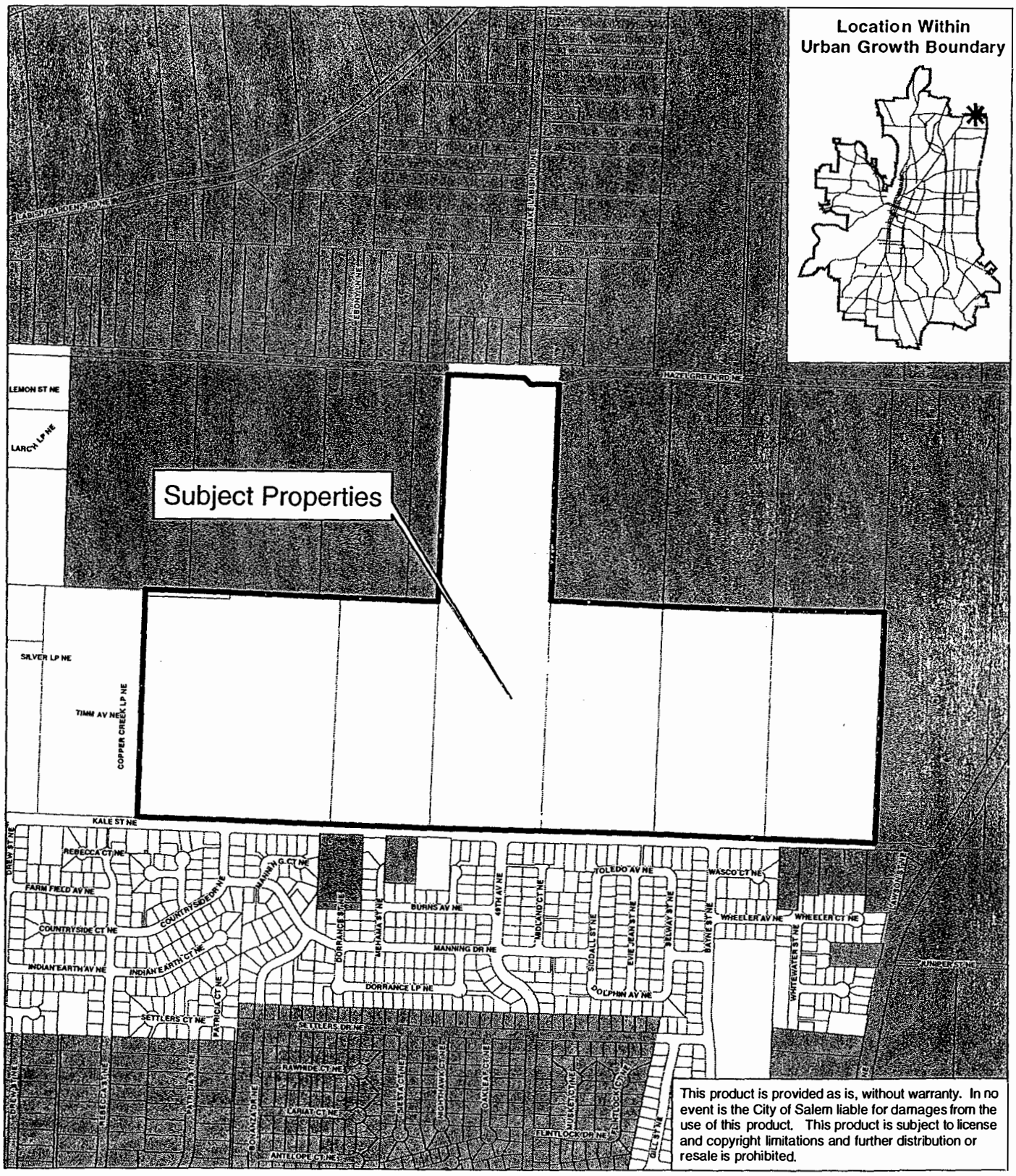
APPEAL PERIOD ENDS: November 30, 2006

Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote: YES 5 NO 1 (Bennett) **ABSENT 1** (Wiles)

G:\Group\CD\PLANNING\ACTION\PC Reso 06-18.wpd

Vicinity Map - Kale Road NE



Outside Salem City Limits

Taxlots

ctrline arc

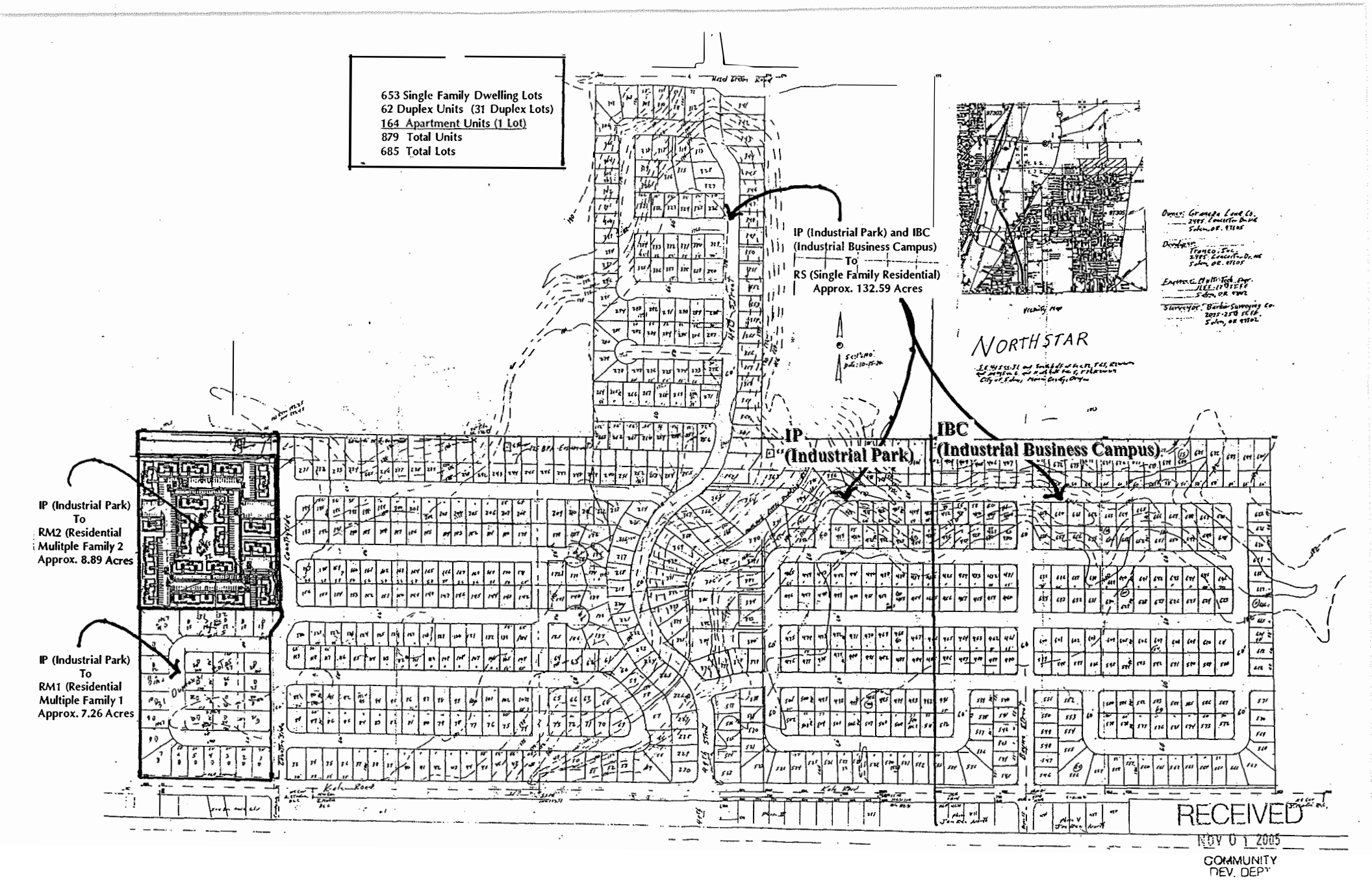
0 200 400 800 Feet

Created: 11-02-05

CITY OF Salem AT YOUR SERVICE

Community Development Dept.

N:\CD\Proj\CP\Vicinity_Maps\kale-rd-ne.mxd


653 Single Family Dwelling Lots
62 Duplex Units (31 Duplex Lots)
164 Apartment Units (1 Lot)
879 Total Units
685 Total Lots
IP (Industrial Park) and IBC (Industrial Business Campus) To RS (Single Family Residential) Approx. 132.59 Acres
IP (Industrial Park)
IBC (Industrial Business Campus)
IP (Industrial Park) To RM2 (Residential Mulitple Family 2 Approx. 8.89 Acres
IP (Industrial Park) To RM1 (Residential Multiple Family 1 Approx. 7.26 Acres
NORTHSTAR
RECEIVED
NOV 01 2005
COMMUNITY DEV. DEPT

City of Salem AT YOUR SERVICE
PLANNING DIVISION
555 LIBERTY ST. SE/ROOM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005

UGA DEVELOPMENT REVIEW COMMITTEE

ISSUE: Preliminary Declaration for Urban Growth Area Development Permit No. 07-1

DATE OF DECISION: June 25, 2007

APPLICANT: Larry Epping, Granada Land Company

PURPOSE OF REQUEST:

To assure that major public facilities such as sewers, water and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program in order to develop the subject property that lies outside the USA (Urban Services Area) in an area without required facilities, and to determine conditions established in the UGA (Urban Growth Area) Development Permit. The proposal is for a multi-family and single-family subdivision on approximately 148.74 acres, zoned RS (Single-Family Residential), RM1 and RM2 (Multi-Family Residential) and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map 062W32C, taxlots 200, 800, 900, 700, and 1000, and 062W32D, taxlots 701 and 1100).

ACTION:

The following is a Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property. The Preliminary Declaration is subject to the terms of Salem Revised Code (SRC) Chapter 66, the Salem Transportation System Plan (STSP), the City of Salem Stormwater Management Master Plan, City of Salem Water System Master Plan, Salem Wastewater Management Master Plan, Public Works Design Standards, Comprehensive Parks System Master Plan, and conditioned on the provision of the public facilities as listed below.

This Preliminary Declaration for a UGA permit addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property (SRC 66.140). All internal facility improvement requirements will be addressed at the time of development of the property. Salem Revised Code (SRC) Chapter 66 '"Urban Growth Management" sets forth the City's authority for imposing linking and boundary facility improvement requirements. A reimbursement district, as defined in SRC 66.500(i), may be established to reimburse the developer for costs as allowed by SRC 66.505. The UGA Preliminary Declaration may be amended as set forth in SRC 66.200. However, as provided in SRC 66.200(d)(2), minor adjustments to the Preliminary Declaration that do not result in conflicts with the Master Plan, may be processed administratively.

The Facts and Findings of the Departments of Public Works and Community Services are attached as Exhibits 1 and 2. The applicant has the responsibility to provide the following facilities pursuant to the requirements of the UGA Development Permit and according to SRC Chapter 66:

A. Linking Street Requirements

The subject property is currently linked to an adequate linking street, Kale Road NE.

The applicant shall construct a linking street improvement in Kale Road NE from the east line of the subject property to Cordon Road NE. The linking street improvement shall include a minimum 34-foot-wide paved improvement within adequate right-of-way to construct the improvement.

B. Boundary Street Requirements

1 Kale Road NE: This street is designated as a *minor arterial* in the Salem Transportation System Plan (STSP). The construction standard for this street is a 46-foot-wide improvement within a 72-foot-wide right-of-way. Currently, this street has a varied improvement and right-of-way along the frontage of the subject property.

a. The applicant shall convey land for dedication for dedication sufficient to equal a half-width right-of-way of 36 feet on the development side of centerline adjacent to the subject property.

b. The applicant shall construct a 23-foot half-width improvement on the development side, including street lights and sidewalks, and a 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property.

2. Hazel Green Road NE: This street is designated as a *parkway* in the STSP. The standard construction for this classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way. Hazel Green Road currently has an approximately 24-foot turnpike improvement within right-of-way width that varies between 68 and 118 feet.

   a. The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 60 feet on the development side.

   b. The applicant shall construct a maximum 40-foot half-width boundary street improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property in an alignment approved by the Director of Public Works. These improvements shall include streetlights and sidewalks.

3. 49th Avenue NE: 49th Avenue is designated as a *collector* street is the STSP and is intended to run north/south. This street is planned to connect Kale Road NE to Hazel Green Road NE in a rough alignment with the existing extent of 49th Avenue NE and Lake Labish Road NE. The *collector* standard for this street depends on the applicant's need for off-street parking. A *Type B collector* requires a 40-foot-wide offset improvement that allows for parking on one side and a *Type A collector* requires a 34-foot improvement but does not allow parking.

   a. The applicant shall convey land for dedication sufficient to equal 60 feet of right-of-way.

   b. The applicant shall construct a minimum 34-foot improvement along the full frontage of the subject property.

C. Traffic Mitigation Requirements

The applicant shall be required to provide a TIA to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report.

D. Storm Drainage Requirements

The subject property is within the Little Pudding Drainage Basin and the North Fork of the Little Pudding River crosses the subject property. There are public storm drain lines and drainage ditches in Kale Road NE. There is also a public storm drain line from the west that outfalls to a drainage ditch that crosses the subject property. This ditch ties into the North Fork of the Little Pudding River at Hazel Green Road NE.

1. The applicant shall submit a drainage study at the time of development, consistent with the Stormwater Management Design Standards as approved by the Public Works Director. The drainage study shall: (1) identify all applicable deficiencies shown on the *Stormwater Master Plan* for the North Fork Little Pudding River from Kale Road SE to the Urban Growth Boundary; (2) specify on-site methods for minimizing stormwater runoff; and (3) identify off-site improvements needed to mitigate stormwater impacts.

2. The applicant shall construct all on-site and off-site improvements needed to mitigate stormwater impacts as specified in the approved drainage study.

E. Water Service Requirements

There is a 16-inch public water line in Kale Road NE, but no public water line in Hazel Green Road NE.

The applicant shall construct *Salem Water System Master Plan* facilities through the subject property within alignments approved by the Director of Public Works:

1. A 12-inch Master Plan water line between Kale Road NE and Hazel Green Road NE, and

2. Extend the 16-inch Master Plan water line between Kale Road NE and the north line of the subject property in an alignment to be approved by the Director of Public Works.

F. Sanitary Sewer Requirements

There is an 18-inch public sanitary sewer line in Kale Road NE. This sewer may not be able to serve to the north portion of the subject property. There is no sanitary sewer line in Hazel Green Road NE.

The applicant shall construct Salem Wastewater Master Plan lines necessary to connect the development to adequate sewer facilities in alignments approved by the Director of Public Works.

G. Parks Requirements

1. Based on the policies of the Comprehensive Park System Master Plan, the provisions of SRC 66.125, and the findings above, 6.9 acres of neighborhood park land (or approximately that size depending on the final subdivision layout), and an access route or other park linkages are needed to serve the subject property. Title to a platted, future neighborhood park in this service area shall be paid for and transferred to the City prior to or simultaneously with the recording of the plat for the final phase of the Northstar Subdivision. This condition may be met by providing a 6.9 acre neighborhood park on the subject property or, on approval of a joint use agreement for a site between the City of Salem and the Salem-Keizer School District, co-locating a 6.9 acre neighborhood park with a new elementary school on the subject property.

2. The above condition will not apply if the City acquires adequate neighborhood park acreage elsewhere in the vicinity to serve the property's park need.

Date of Preliminary Declaration: June 25, 2007

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, not later than **July 10, 2007, 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the Urban Growth Management Ordinance (SRC Chapter 66). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

This Preliminary Declaration will expire on June 25, 2009

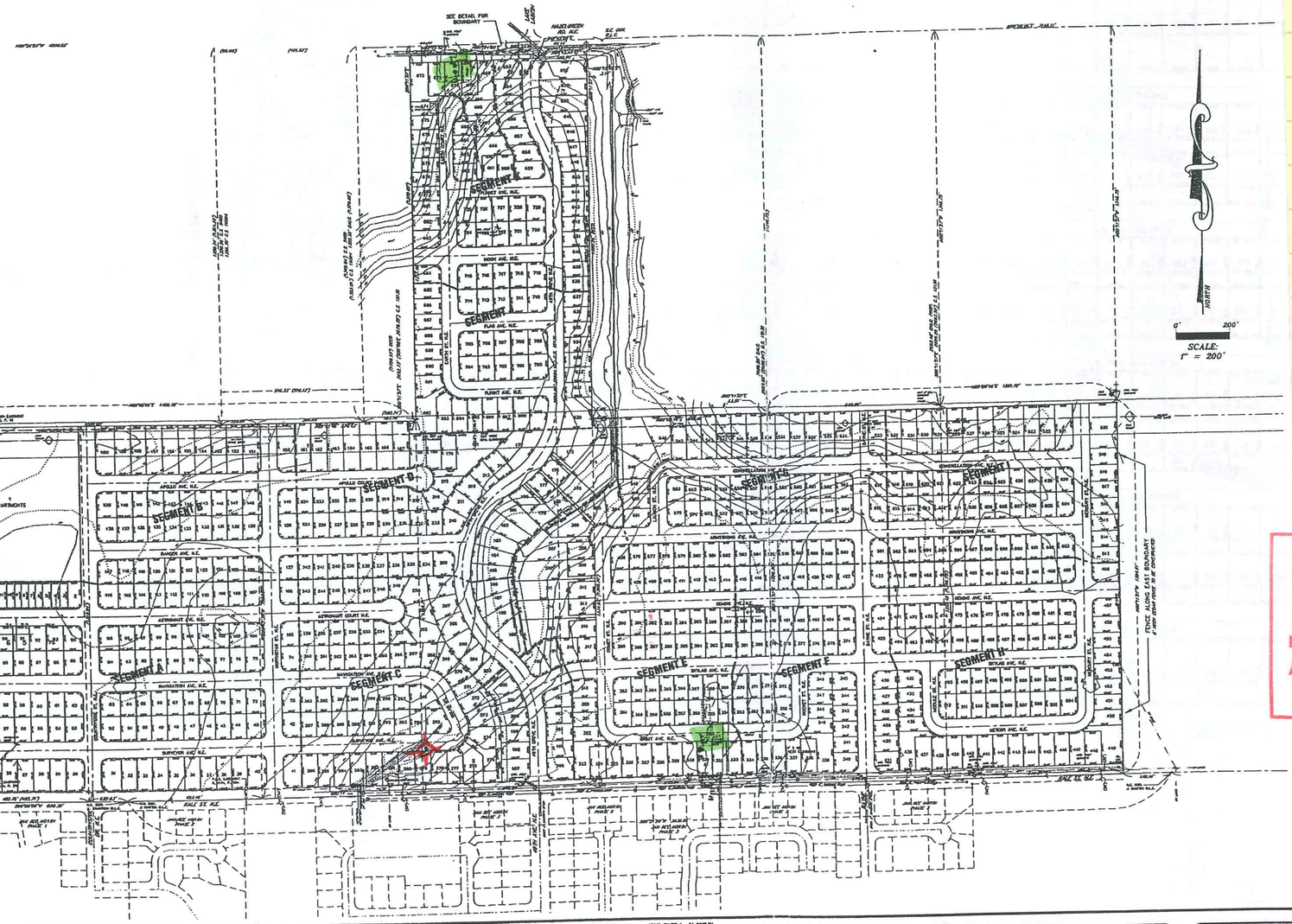
Attachments:
Exhibit 1: Facts and Findings of the Department of Public Works
Exhibit 2: Facts and Findings of the Department of Community Services
Exhibit 3: Vicinity Map

Prepared by Garrett Stephenson, Associate Planner

G:\Group\CD\PLANNING\STFRPRTS\2007\UGA\UGA07-1.ghs.wpd

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Planner's Tree Count

Total # Trees: 6
Total # To be Removed: 1
Total # to be preserved: 5

Tree to be removed: 18" Ash

-No significant trees.

-No trees in riparian corridors.

Note: See Segment maps for more detail.

CITY OF SALEM, OREGON
DEPARTMENT OF COMMUNITY SERVICES
LANDSCAPE AND IRRIGATION PLANS REVIEW
APPROVED BY: Lisa J. Dyer
DATE: 10/2/07

No replanting per SRC 132

MULTI/TECH ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.multitech.us office@multitech.us

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
RENEWAL DATE: JUNE 30, 2007

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

4519b/PLOT1: 11-FEB-24

Design: M.D.G.
Drawn: J.P.H.
Checked: M.D.G.
Date: FEB. 2007
Scale: AS SHOWN
As-Built: _____

NORTHSTAR

PRELIMINARY PLAN

Drawing Number 4519
Sheet Number 1 of 7

N:\4519\PLOT\4519-Prelim-Plan.dwg, 2/11/2007 - 11:48:00 AM, jhobgood

December 28, 2007

CITY OF Salem AT YOUR SERVICE

Larry Epping
Granada Land Company
2485 Lancaster Drive NE
Salem, OR 97305

RE: **SRC CHAPTER 68 TREE CONSERVATION PLAN (TCP 07-17):** 4400-5200 blocks Kale Road NE; Subdivision Case No. 07-13, 07-13A

The subject property is located in the 4400-5200 blocks of Kale Road NE (Attachment 1). Your Tree Conservation Plan for the proposed development (Attachment 2) has been reviewed by staff and found to meet the requirements of Salem Revised Code (SRC) 68.100.

APPROVAL CRITERIA

SRC 68.100(d)(1) requires Tree Conservation Plans to designate trees for preservation as follows:

1) All trees protected by SRC 68.050 (Significant Trees) and SRC 68.040 (Heritage Trees)

There are no significant or heritage trees located on the property, as defined by SRC 68.020. The applicant is not proposing to remove any significant or heritage trees.

2) All trees protected by SRC 68.060 (Trees in Riparian Corridors)

The applicant is not proposing to remove any trees or other vegetation within a riparian corridor.

3) At least 25 percent of all other existing trees on the property

According to staff review, the Tree Conservation Plan for the proposed development described above identifies 6 trees on the subject property, with 1 tree designated for removal.

The proposed plan preserves 5 trees or 83 percent of the trees on the subject property. Therefore the Tree Conservation Plan complies with the preservation requirements of SRC Chapter 68(d)(1).

CONDITIONS OF APPROVAL

The submitted Tree Conservation Plan is consistent with the provisions of SRC Chapter 68 and Chapter 132. The Tree Conservation Plan is hereby approved, contingent upon issuance of construction permit(s). The developer, and all representatives thereof, shall comply with all applicable SRC Chapter 68 and Chapter 132 development standards, and shall comply with the following conditions:

1. The Tree Conservation Plan, referenced above by Case File Number TCP 07-17, is hereby approved and a copy is attached hereto (Attachment 2). The original approved Tree Conservation Plan is on file with the City of Salem.

2. No tree designated for **removal** on the approved Tree Conservation Plan shall be removed or critically damaged prior to the Tree Conservation Plan approval date.

3. Any changes to the approved Tree Conservation Plan must be submitted to the Community Development Department in the form of a Tree Conservation Plan Adjustment application for review and approval.

4. No tree designated for **preservation** on the approved Tree Conservation Plan may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment application is submitted by the property owner and approved by the Planning Administrator.

5. Prior to and during any grubbing, grading and construction activities, all trees designated for preservation shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked on-site.

6. During all grubbing, grading and construction activities, sturdy, high-visibility protective fencing shall be installed and maintained around all significant trees and heritage trees, as defined by SRC 68.020. The protective fencing shall be installed under the tree canopy such that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one-inch of dbh is protected. No grubbing, grading, construction, vehicle parking, or storage/disposal of materials/fill shall be allowed inside the protective fencing.

7. At the time of application to the Salem Public Works Department for a construction permit, and prior to any grading and/or construction on-site, a copy of the approved Tree Conservation Plan shall be provided to the Salem Public Works Department with the construction and grading plans.

8. Prior to recordation of the Final Plat, a Final Tree Conservation Plan, including revisions that may result from an approved Adjustment, shall be submitted to the Community Development Department for review and an on-site INSPECTION.

9. Upon Final Plat recordation, the approved Tree Conservation Plan is binding on the lots created by partition/subdivision of the subject property.

10. Adherence to the Tree Conservation Plan is required at the time of building permit application. All trees identified for preservation by the Tree Conservation Plan shall be protected, as required by above, until issuance of a Notice of Final Completion for each affected parcel/lot.

Sincerely,

Jo Perryman
Associate Planner

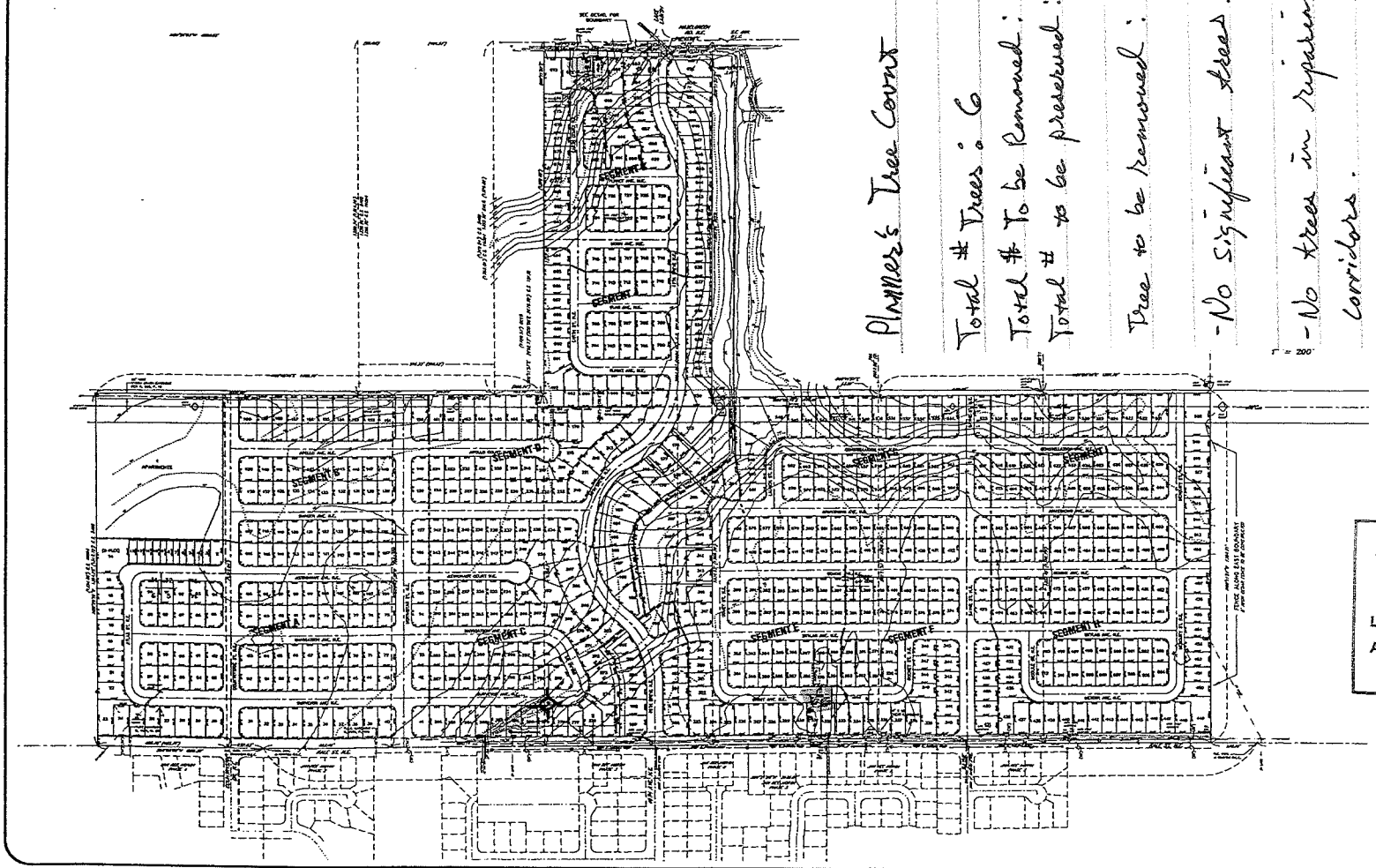
Attachments: 1. Vicinity Map
2. Approved Tree Conservation Plan

cc: Case File No. SUB 07-13

G:\Group\CD\PLANNING\Natural Resources\Trees\Tree Conservation Plans\2007\TCP07-17 4400-5200 Blocks Kale Rd NE.jp.wpd

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



Planner's Tree Count

Total # Trees : 6

Total # To be Removed : 1

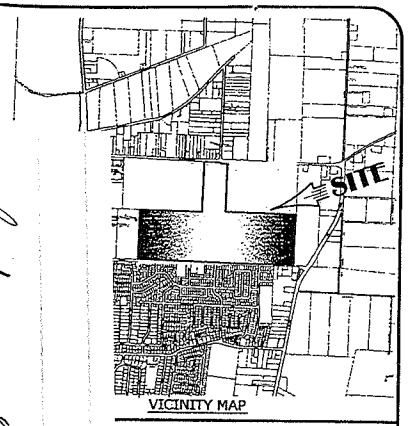
Total # to be preserved : 5

Tree to be removed : 18" Ash

- No significant trees.

- No trees in riparian corridors.

Note: See segment maps for more detail.



VICINITY MAP

Developer:
VINCE T. EPPING
[illegible] STER DR. N.E.
[illegible] EGON 97302

NUMBER OF LOTS

OPTION 1 (LOTS ONLY) - 729
OPTION 2 (W/ PARK AND SCHOOL) - 669
OPTION 3 (W/ PARK ONLY) - 694

CITY OF [illegible] OREGON
DEPARTMENT OF [illegible] SERVICES
LANDSCAPE AND [illegible] ATION PLANS REVIEW
APPROVED BY: Lisa J. Tyler
DATE: 10/2/07

No replanting per SRC 132

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1961
MARK D. GRENZ
RENEWAL: JUNE 30, 2007

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design:	M.D.G.
Drawn:	J.P.H.
Checked:	M.D.G.
Date:	FEB. 2007
Scale:	AS SHOWN
As-Built:	

NORTHSTAR

PRELIMINARY PLAN

Drawing Number
4519
Sheet Number
1 of 7

CITY OF Salem AT YOUR SERVICE

COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

MEMO

TO: Mark Grenz, Multi-Tech Engineering

FROM: Olivia Glantz, Planner III

DATE: August 21, 2019

SUBJECT: **Completeness Review – 4400 Kale Street NE; Modification to Subdivision07-13A (#19-116703-LD)**

The Planning Division received an application for the proposed subdivision at 4400 Kale Street NE on July 26, 2019. Prior to deeming your application complete, modifications and/or additional information must be provided to address the following item(s):

ITEM	NOTES
Hazelgreen Road	Please provide a section of Hazelgreen Road Improvements, as a Minor arterial for evaluation in the Modification
Kale Road	Options for Security: - Building Permit Security or - Applicant to propose some comparable alterative instead of Building Permit Security.
Phase Plan	Phasing plan was not provided to the Planning Division for review. Public Works recently provided the phasing layout and the following changes are proposed by the City: Phasing Segment B Segment C Segment A Segment D Segment E **Segment G**

	Segment J Segment K
Plans, documents and other application materials	Upload all plans, document and application materials via SPLASH.
Other	Staff met today to review proposed conditions of approval. Unfortunately, the Planning did not have all of the information to review the modification for completeness. **Staff intends to have an updated list of conditions to the applicant, next week.**

Your application, which is incomplete, will be deemed complete upon receipt of one of the following:

(1) All of the missing information

(2) Some of the missing information and written notice from you (the applicant) that no other information will be provided

(3) Written notice from you (the applicant) that none of the missing information will be provided

You have 180 days from the date the application was first submitted to respond in one of the three ways listed above, or the application will be deemed void.

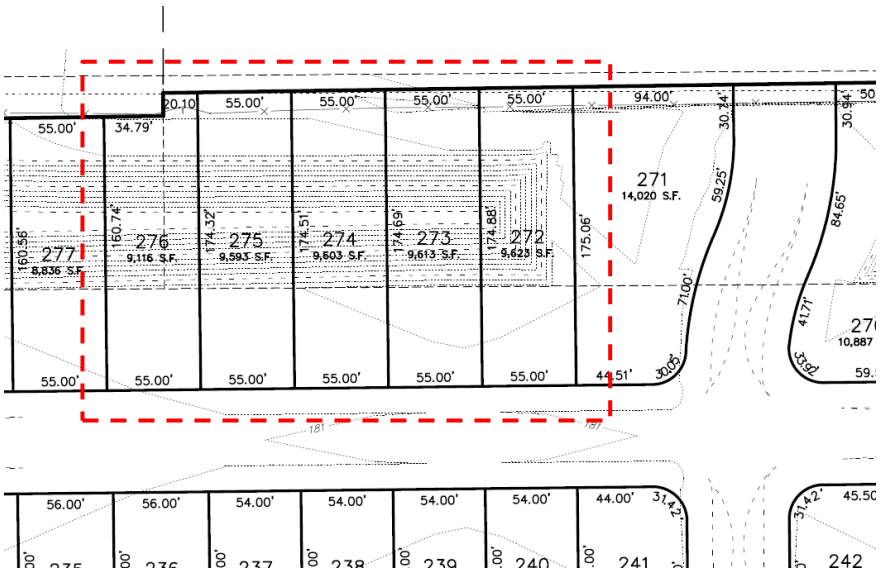
For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2343 or via email at oglantz@cityofsalem.net. You may access the Salem Revised Code accessed by clicking HERE.

Northstar Subdivision

Adjustment Class-2 Application
Table 511-2 (Lot Standards)

Proposal:

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment.



The minimum lot width required for lots int eh RS zone is 40 feet with a minimum lot depth of 70 feet. Table 111-2 only allows a maximum lot depth of 300% of average lot width

The applicant is requesting an adjustment to the lot width to lot depth maximum.

Adjustment Criteria-SRC 250.005(d)(2) Criteria

(A) The purpose underlying the specific development standard proposed for adjustment is:

(i) Clearly inapplicable to the proposed development; or
(ii) Equally or better met by the proposed development.

(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant's Reasons:

(A) The applicant is requesting a zoning adjustment to Table 5111-2. The minimum lot width

required for lots int eh RS zone is 40 feet with a minimum lot depth of 70 feet. Table 111-2 only allows a maximum lot depth of 300% of average lot width

The applicant is requesting an adjustment to the lot width to lot depth maximum. In order to provide street connections and circulation, the size and layout of the lots had to be taken not consideration. Therefore, some lots exceed the minimum and maximum requirements.

Lots 272 through 276 in Segment I of Northstar Subdivision are all 55 feet in width, therefore, only allowing a maximum lot depth of 165 feet. However, all five of these lots exceed 165 feet in lot depth.

Lot Depth
Lot 272-174 feet
Lot 273-174 feet
Lot 274-175 feet
Lot 275-174 feet
Lot 276-168 feet

The purpose of this requirement is to avoid creating long narrow lots. As stated above, in order to provide street connections and circulation, the size and layout of the lots had to be taken not consideration. Due to the required street extensions near these lots, creating smaller lots is not feasible.

The longer lots do not affect the rest of the subdivision or the proposed lots. The longer lots actually provide larger lots to help meet setbacks and provider larger open space areas on the lots. Therefore, the proposed adjustment equally or better meets the standard.

(B) The subject property is zoned RS and is located in a residential area. The properties to the north, east, south, and west are all zoned RS (Single Family Residential). The RS zone allows for this property to be subdivided.

The proposal will have little to no impact on the surrounding neighborhood. The purpose of this requirement is to avoid creating long narrow lots. As stated above, in order to provide street connections and circulation, the size and layout of the lots had to be taken not consideration. Due to the required street extensions near these lots, creating smaller lots is not feasible.

The longer lots do not affect the rest of the subdivision or the proposed lots. The longer lots actually provide larger lots to help meet setbacks and provider larger open space areas on the lots. Therefore, this proposal will not detract from the livability or appearance of the residential area.

Any conditions placed on the subdivision will require Code compliance, which will help ensure minimal to no impacts on the neighborhood.

(C) The proposed adjustment will not affect surrounding existing or proposed development. The applicant is not requesting more than one adjustment.

Northstar

Modified Subdivision (SUB 07-13A)

Revised-august 28, 2019

BACKGROUND:

On June 25, 2007, UGA Preliminary Declaration (UGA 07-1) was issued for the subject property (4400-5200 blocks of Kale Road).

The applicant received subdivision (SUB 07-13) approval on September 28, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant amended Subdivision Case No. 07-13 (SUB 07-13A), and received approval on December 18, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant received approval for Tree Conservation Plan (TCP 07-17) on property located within the 4400-5200 blocks of Kale Road.

The subject property is approximately 148 acres in size and located within the 4400-5200 blocks for Kale Road (062W32D/Tax Lots 701 & 1100 and 062W32C/Tax Lots 200, 700, 800, 900, and 1000). The subject properties are zoned RS (Single Family Residential), RM1 (Multi-Family Residentail-1), and RM2 (Multi-Family Residential-2). The subject property is designated as “Single Family Residential” and “Multi-Family Residential” on the Salem Area Comprehensive Plan (SACP) Map.

PROPOSAL:

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

1) **Modify the boundary of Segment D**
   -The boundary of Segment D is being realigned.
   -Number of lots in Segment D are being reduced from 70 lots to 65 lots
2) **Modify the street layout and boundary of Segment E**
   -The street layout in Segment E is being modified
   -The boundary of Segment E is being realigned
3) **Modify the number of lots in Segments A, E, G, and K**
   -Number of lots in Segment A are being reduced from 50 lots to 1 lot
   -Number of lots in Segment E are being reduced from 67 lots to 60 lots
   -Number of lots in Segment G are being reduced from 55 lots to 51 lots
   -Number of lots in Segment K are being reduced from 62 lots to 56 lots
4) **Eliminate Condition No. 7 and Condition No. 8**
5) **Clarify Condition No. 14**

-Revise or clarify Condition No. 14 to say, “Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE”

6) **Revise Condition No. 16**
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) **Revise Condition No. 22**
-Revise Condition No 22 to say, “Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement”

8) **Modify total number of lots in subdivision**
-Original (3 Options) (11 Segments): Proposed Modification (1 Option) (11 Segments):
*Original=729 lots *Proposed=656 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	60	67
F	100	100
G	51	55
H	130	131
I	45	46
J	38	38
K	56	62
TOTALS	656	729
CHANGE	−73	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

SITE VICINITY and CHARACTERISTICS:

The subject property is located on Kale Road. The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Marion County UT-5 (Urban Transition); single-family homes, light agriculture
East: Marion County EFU (Exclusive Farm Use), heavy agriculture
South: RS (Single-Family Residential), RZ (Residential Agriculture) and Marion County UT-5; single family homes, vacant land, parks
West: RM2 (Multiple Family Residential) and Marion County UT-20 (Urban Transition); manufactured home park, agricultural uses

EXISTING SITE CONDITIONS:

The subject property is approximately 148 acres in size. The modification does not change or impact trees, wetlands or landslides on the subject property. The modification is only to change the segment lines, lot numbers, street alignments, and conditions of approval as shown on the site plans.

Trees: There are six (6) trees located on the subject property and the applicant has approval to remove one (1) of the trees per TCP Case No. 07-17. The applicant is not modifying the Tree Conservation Plan. Additional trees are not proposed to be removed.

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. Therefore, Lots 471, 480, 509, and 519 can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

ACCESS AND CIRCULATION:

The modification does not change or impact circulation to, from, or within the subdivision.

General Circulation: The modified subdivision will result in the creation of 656 lots, with one (1) preliminary plan option. Vehicular access to the proposed lots will be taken from proposed internal streets. All lots will have access onto Kale Road to the south and Hazel Green Road to the north. Stub streets have been provided along the east and west property lines for future development of surrounding properties. The internal streets will provide safe and efficient access to the lots and to the existing street system, by providing direct access to the site and to Kale Road and Hazel Green Road.

Boundary Streets: There are two streets abutting the subject property, Kale Road to the south, which is designated as a 'minor arterial' street and Hazel Green Road to the north, which is designated as a "parkway" in the Salem Transportation System Plan (TSP). Improvements to these streets will be made as outlined in the UGA 07-1.

Internal Streets: The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets are designed to Public Works street standards (60-foot wide) as shown on the site plans.

Due to the realigned of streets and the addition of a cul-de-sac, the applicant is requesting to modify the internal street layout of Segment D and Segment E.

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1): The proposed modification does not change or impact compliance with the required criteria.

The intent of the subdivision code is providing for orderly development through the application of appropriate rules and regulations. Pursuant to the application of the current enabling statutes, these regulations are those cited in UDC 205.010(d) and UDC 205.015(d). The decision criteria for subdivisions without a concurrent variance under UDC 205.010(d) and UDC 205.015(d) must be found to exist before an affirmative decision may be made for a subdivision application.

The SUB 07-13A was approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with a few changed segment lines. The proposed modification is to modify the following:

1) Modify the boundary of Segment D
-The boundary of Segment D is being realigned.
-Number of lots in Segment D are being reduced from 70 lots to 65 lots

2) Modify the street layout and boundary of Segment E
-The street layout in Segment E is being modified
-The boundary of Segment E is being realigned

3) Modify the number of lots in Segments A, E, G, and K
-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 60 lots
-Number of lots in Segment G are being reduced from 55 lots to 51 lots
-Number of lots in Segment K are being reduced from 62 lots to 56 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

6) Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22
-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision
-Original (3 Options) (11 Segments): *Original=729 lots
Proposed Modification (1 Option) (11 Segments): *Proposed=656 lots

(1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.

Applicant Findings: The proposed lots meet SRC Chapter 205 (Subdivision), Chapter 211 (Single Family Residential) minimum lot size, dimension (in the RS zoned portion), and street frontage standards. A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A. All lots are suitable for the general purpose for which they are intended to be used, such as for the development code permitted uses. The lots are of size and design as not to be detrimental to the public health, safety, or welfare.

The subdivision code, SRC 205, requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot. As stated above, A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A.

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

The modified proposal conforms to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities.

(B) City infrastructure standards.

Applicant Findings: As indicated in the original approval (SUB 07-13 and SUB 07-13A), the lots can be adequately served with water, sanitary sewer and storm drainage facilities. The subdivision can also be served with other utilities appropriate to the nature of the development.

The proposed development is subject to the Conditions of Approval per UGA 07-1. The modification will not impact the proposed utilities.

Additional reviews occur at the time of building permits to assure compliance with the zoning code. Compliance with conditions of approval to satisfy the subdivision ordinance is checked prior to city staff signing the final subdivision plat.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Applicant Findings:

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. The revised site plan shows how the setbacks can be met while providing a buildable area on the lot. Therefore, all the lots within the proposed subdivision can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

(2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

Applicant Findings: The modification is to change the segment lines within SUB 07-13A, as shown on the site plan. The subject properties and adjacent properties will not be affected by this modification. Approval of the modified subdivision does not impede future use of the subject property. Adjacent properties are either developed with existing single-family dwellings or are currently vacant land. Stub streets have been provided to properties to the east and west for future development.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposal provides for development of the site consistent with current zoning standards and SUB 07-13 dated September 28, 2007, and SUB 07-13A dated December 18, 2007. The proposal meets the criterion.

(3) Development within the tentative subdivision plan can be adequately served by City infrastructure.

Applicant Findings: The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for future development of any adjoining properties. The City's adopted facility plans, and construction requirements are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

The property has an issued UGA (UGA 07-1). Public facilities are available to serve the property resulting from prior development in the subject area. UGA 07-1 outlines all the needed linking requirements and improvements to get services to the site.

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. Therefore, this criteria has been met.

Proposed Storm Water Management System:

Applicant Findings: Storm water quality and quantity have been reviewed for this development. A LID (low impact development) Storm water technique will be used to mitigate the increase in pollutants contributed from development. This system may also be used to provide storage and water quantity control. The exact system will be determined at the time of design. Any proposed technique meets City of Salem Storm water Management standards in means and methods to provide all aspects of Storm water management.

Per Condition No. 11 of SUB 07-13, the applicant will design and construct a complete storm drainage system at the time of development. The applicant will design the storm drainage system based on the design standards in place at the time of the 2007 Subdivision approval.

(4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Applicant Findings: The subdivision provides for hard-surfaced vehicle, bicycle and pedestrian access from the subdivision to the existing internal streets.

Transportation Planning Rule Review:

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed subdivision modification is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015, and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements, and is consistent as follows:

(a) Mass Transit: The nearest transit service available to the site is provided via Route 15, located on Kale Road to the south of the site.

(b) Pedestrian Connectivity: Improved pedestrian access is indicated on the site plan and will be provide via proposed sidewalks along the internal streets onto the existing sidewalk and proposed sidewalks on Kale and Hazel Green Road.

As an infill proposal, the transportation network in the area is already established or being established as more development occurs in the area. Connections to the existing system are provided by existing streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

Findings for supporting this criterion are found in UGA 07-1. The major street network in the area has been identified has having been established and is consistent with the Salem Transportation System Plan. Improvements and linking requirements will be made as outlined in UGA 07-1. The subdivision is served with adequate transportation infrastructure and the street system adjacent to the property will conform to the Salem Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property.

The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets will be designed to Public Works street standards.

The modification does request modifications to street improvements and Conditions of Approval as follows:

Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"
Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share
Revise Condition No. 22
-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

A TIA was submitted and approved by the City of Salem, with the SUB 07-13 approval. The modification is changing the number of lots proposed from 729 lots to 656 lots. Therefore, the modification will not affect the approved TIA.

(5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

Applicant Findings: The subject property is located in a developed and developing area where improved streets and sidewalks exist or are proposed. The local street system serving the development provides the necessary connections and access to the Local Street and circulation system serving this residential neighborhood.

The subdivision will provide sidewalks along the proposed portion of the site where lots and Segments will be developed.

Access to, within, and from the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, through, and out of a development. The proposal develops the subject property within an established residential area where local and arterial streets and mass transit facilities exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The Public Works Department addressed the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan requirements via issued UGA 07-1. Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria has been met.

(6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

Applicant Findings: The subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property once the access ways are hard-surfaced and physically connected to the public street system.

Therefore, via existing and proposed paved streets and sidewalks, safe and convenient bicycle and pedestrian access will be provided to the site and to adjacent neighborhoods.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria has been met.

(7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. A TIA was approved by the City of Salem in 2007. The street layout does not warrant the need for a new TIA. All mitigations required by the TIA and Conditions of Approval will be met.

Therefore, this criteria has been met.

(8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Applicant Findings: Topography and vegetation was taken into consideration for the subdivision. A majority of the lots and all the streets are in compliance with the UDC.

However, an adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

(9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

Applicant Findings: The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The subdivision plan takes into consideration the topography and vegetation of the site. The applicant has an approved Tree Conservation Plan (TCP 07-17). The Tree Conservation Plan is not being modified.

The proposed lots are of sufficient size and dimensions to permit future development. An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I. The lot dimensions are illustrated on the tentative site plan. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

Topography and vegetation were taken into consideration for the subdivision. Most of the lots and all the streets are in compliance with the UDC. Therefore, this criteria has been met.

10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Applicant Findings: The subject properties are subject to growth management requirements for public facilities. Urban Growth Area Permit-UGA 07-1 was approved for the subject property. Therefore, the applicant is subject to the requirements of UGA 07-1.

MODIFICATION CRITERIA-UDC 205-070(D)-See Proposed Modification Sheets 1-6

The SUB 07-13 and SUB07-13A were approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with modified segment lines and less lots. The total numbers of lots is being modified from 729 lots to 656 lots. The following modifications are proposed:

1) Modify the boundary of Segment D
-The boundary of Segment D is being realigned.
-Number of lots in Segment D are being reduced from 70 lots to 65 lots

2) Modify the street layout and boundary of Segment E
-The street layout in Segment E is being modified
-The boundary of Segment E is being realigned

3) Modify the number of lots in Segments A, E, G, and K
-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 60 lots
-Number of lots in Segment G are being reduced from 55 lots to 51 lots
-Number of lots in Segment K are being reduced from 62 lots to 56 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14
-Revise or clarify Condition No. 14 to say, “Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE”

6) Revise Condition No. 16
-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22
-Revise Condition No 22 to say, “Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the

subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): Proposed Modification (1 Option)(11 Segments):
*Original=729 lots *Proposed=656 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	60	67
F	100	100
G	51	55
H	130	131
I	45	46
J	38	38
K	56	62
TOTALS	656	729
CHANGE	−73	

Criteria. An application for modification pursuant to this section shall be approved if all of the following criteria are met:

(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and

Applicant Findings: The modification is in substantial conformance with the original approval and conditions of approval. The modification does request the revision or elimination of a few Conditions of Approval for SUB07-13, SUB07-13A, TCP07-17, and UGA07-1. All Conditions of Approval will be met to assure compliance with the Code.

The original approval and the modification were for eleven (11) Segments. This proposed modification will continue to have eleven (11) Segments, but with modified segment lines. Therefore, the modification is not and will not be inconsistent with conditions of original approval.

(2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Applicant Findings: The proposed modification does not result in significant physical changes as shown on the site plan. The only changes are outlined above and within eleven (11) Segments. See Proposed Modification Sheets. Therefore, the changes are not a significant change.

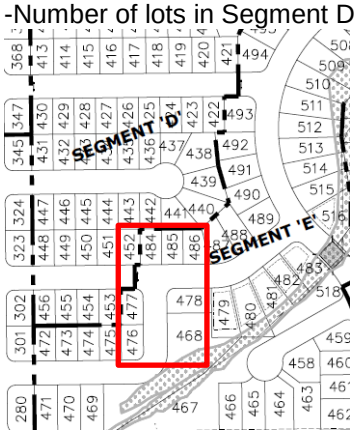
Conclusion

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

1) Modify the boundary of Segment D

-The boundary of Segment D is being realigned.

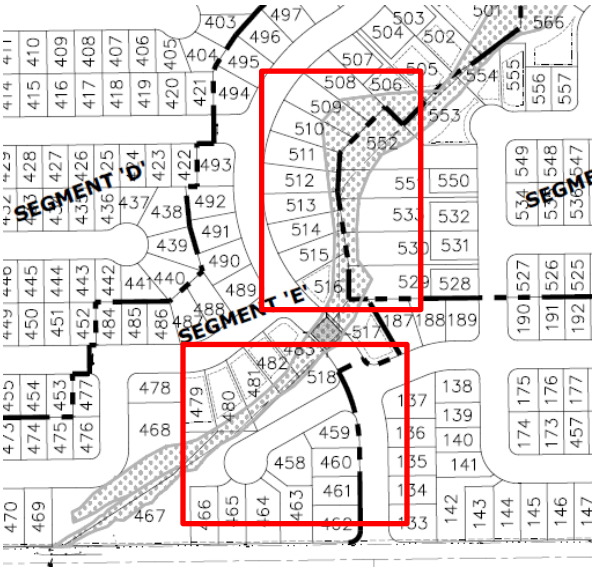
-Number of lots in Segment D are being reduced from 70 lots to 65 lots



2) Modify the street layout and boundary of Segment E

-The street layout in Segment E is being modified

-The boundary of Segment E is being realigned



3) Modify the number of lots in Segments A, E, G, and K

-Number of lots in Segment A are being reduced from 50 lots to 1 lot
-Number of lots in Segment E are being reduced from 67 lots to 60 lots
-Number of lots in Segment G are being reduced from 55 lots to 51 lots
-Number of lots in Segment K are being reduced from 62 lots to 56 lots

4) Eliminate Condition No. 7 and Condition No. 8

5) Clarify Condition No. 14

-Revise or clarify Condition No. 14 to say, “Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE”

6) Revise Condition No. 16

-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22

-Revise Condition No 22 to say, “Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement”

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): *Original=729 lots

Proposed Modification (1 Option)(11Segments): *Proposed=656 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	60	67
F	100	100
G	51	55
H	130	131
I	45	46
J	38	38
K	56	62
TOTALS	656	729
CHANGE	−73	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

The proposed modification is in compliance with all applicable Code and the Conditions of Approval. All Conditions of Approval will be met as specified in the SUB07-13, SUB07-13A, and UGA07-1, along with requirements of this proposed modified decision.

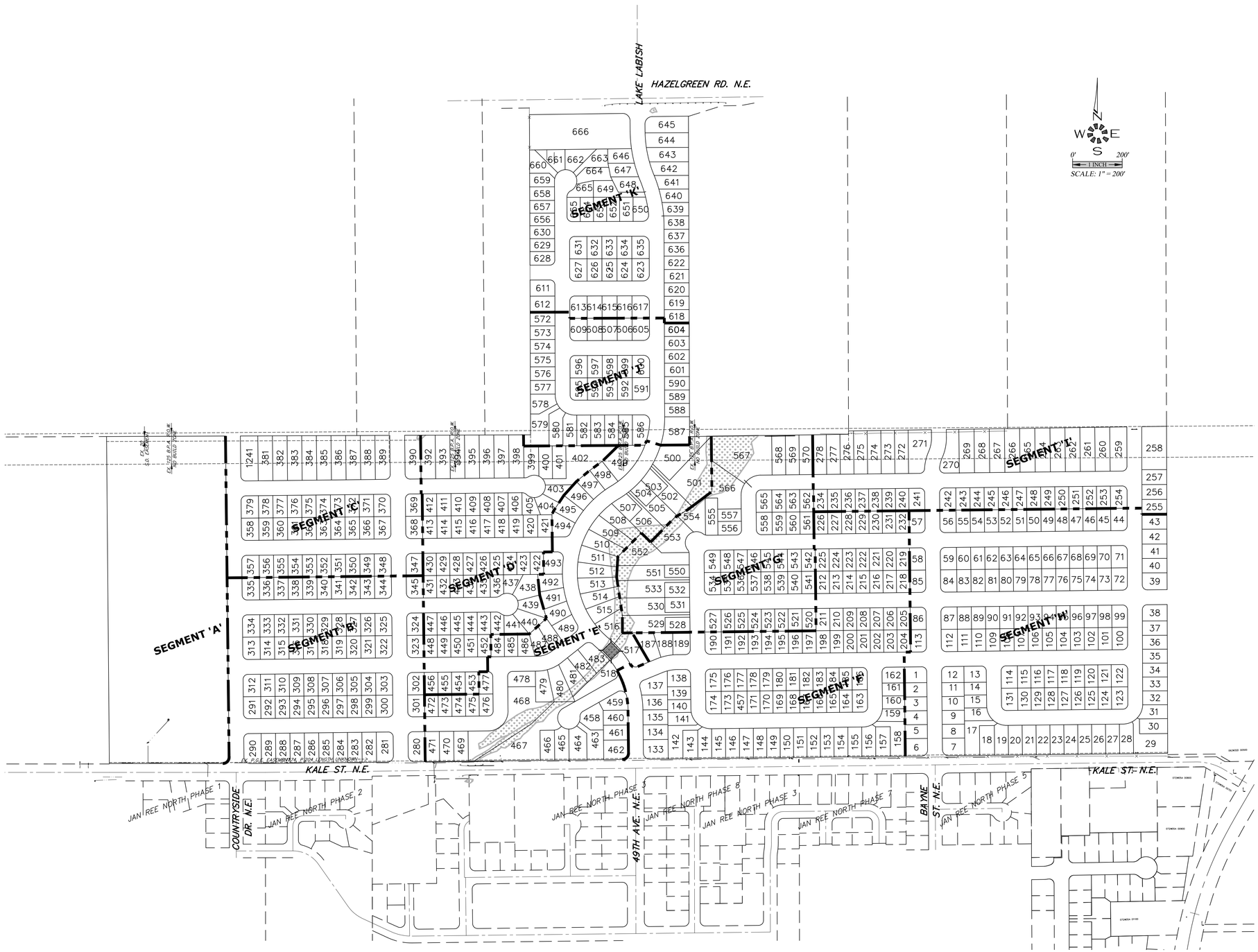
Owner / Developer:

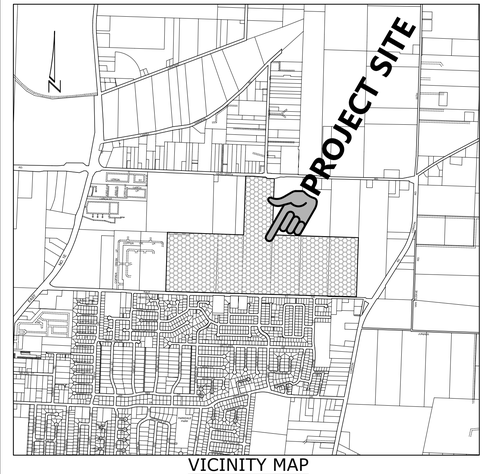
Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





VICINITY MAP

NUMBER OF LOTS BY SEGMENT

SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	60	67
F	100	100
G	51	55
H	130	131
I	45	46
J	38	38
K	56	62
TOTALS	656	729
CHANGE	−73	

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

COVER SHEET

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS BY ANYONE OTHER THAN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610.Sashed 1 of 7-COV

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 4, 1974
MARION D. GRENZ
9-6-19

EXPIRES: 06-30-2021

JOB # 6610

1 of 7

J:\6600-6699\6610-Northstar\Civil\Dwg s\R6610_SubMod.dwg, 1 of 7-COV, 8/21/2019 10:36:28 AM, CSpelman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

LOT AREAS		
LOT NO.	BUILDABLE AREA S.Q. F.T.	BUILDING FOOTPRINT S.Q. F.T.
554	2828	1705
555	4449	NA
566	4362	1963
567	2885	NA

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 2 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2021

JOB # 6610

2 of 7

J:\6600-6699\6610-Northstar\Dwg\6610_SubMod.dwg, 2 of 7, 8/21/2019 10:36:35 AM, CSpinnon

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

N 0' E S 80'
1 INCH
SCALE: 1" = 80'

LOT AREAS		
LOT NO.	BUILDABLE AREA S.Q. F.T.	BUILDING FOOTPRINT S.Q. F.T.
479	4785	NA
480	4365	NA
481	3669	NA
482	3032	NA
483	2287	1800
501	7309	NA
502	3326	NA
505	4778	NA
506	2074	2292
516	2433	1670
517	3628	2590
553	2155	1579

SEGMENT 'A'
SEGMENT 'B'
SEGMENT 'C'
SEGMENT 'D'
SEGMENT 'E'
STORMWATER FACILITY
KALE ST. N.E.
NO'29'19"W 638.25'
641.91'
653.08'
457.61'
479.29'
380 634,526 S.F.
EX. 20 S.D. EASEMENT
EX. 125 B.P.A. R/W
NO BUILD ZONE
EX. 125 B.P.A. R/W
NO BUILD ZONE
EX. 125 B.P.A. R/W
NO BUILD ZONE

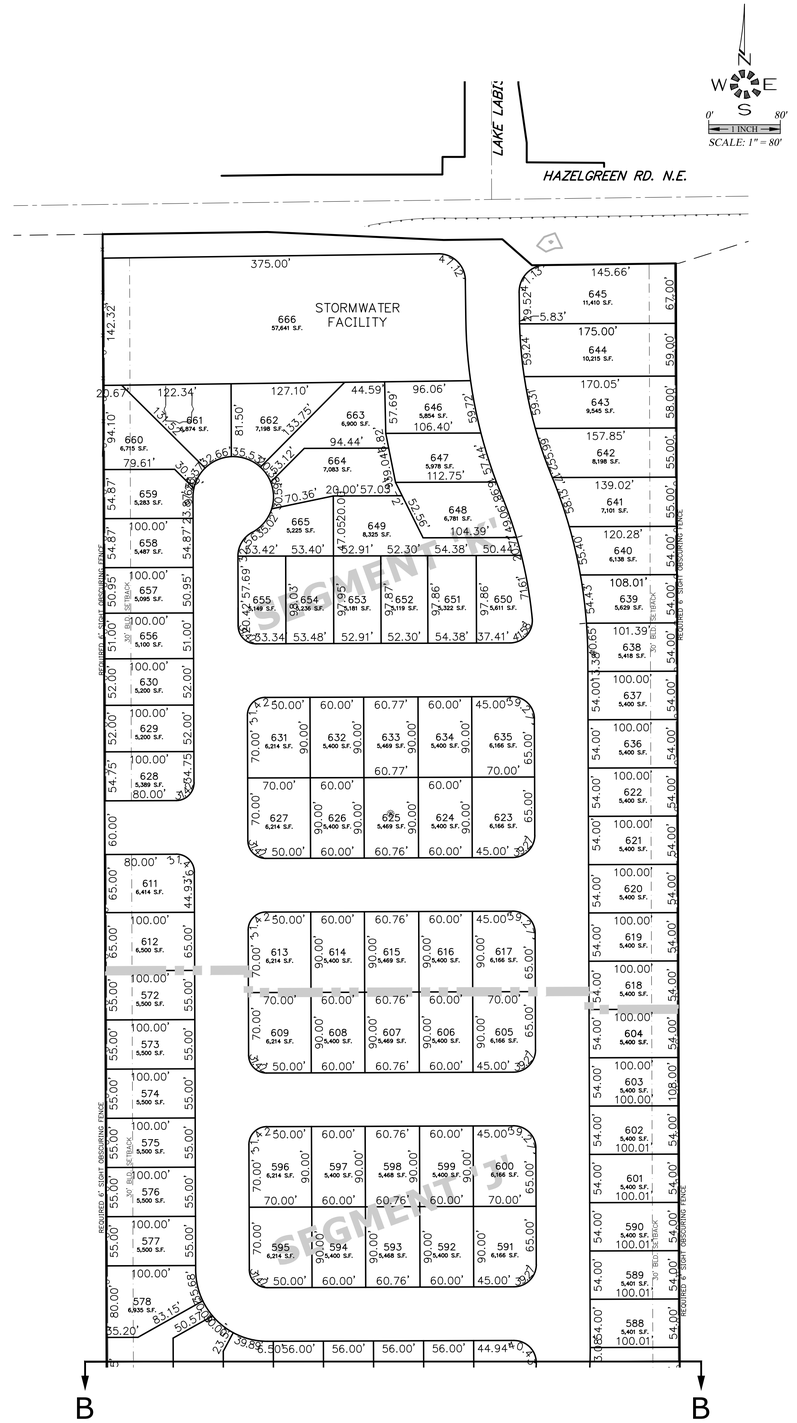
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 4 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2021

JOB # 6610

4 of 7

J:\6600-6699\6610-Northstar\Dwg-18\6610_SubMod.dwg, 4 of 7, 8/21/2019 10:36:48 AM, Cjohnson

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

SEGMENT 'G'
SEGMENT 'F'
SEGMENT 'I'
SEGMENT 'H'
STORMWATER FACILITY
STORMWATER FACILITY
KALE ST. N.E.
JAN REE NORTH PHASE 8
JAN REE NORTH PHASE 7
JAN REE NORTH PHASE 5
REQUIRED 6' SIGHT OBSCURING FENCE
EXISTING 6' SIGHT OBSCURING FENCE
30' BLDG SETBACK
PROP. 16" D.I. WATER MAIN
PROP. 12" D.I. WATER MAIN
PROP. 8" PVC SANITARY SEWER
PROP. 36" STORM DRAIN
PROP. 24" S.D.
PROP. 18" S.D.
PROP. 15" S.D.
PROP. 12" STORM DRAIN
PROP. 8" D.I. WATER MAIN
PROP. 6" D.I. WATER MAIN
PROP. 10" PVC SANITARY SEWER
PROP. 8" PVC SANITARY SEWER
PROP. 8" D.I. WATER MAIN
PROP. 12" S.D.
PROP. 12" STORM DRAIN
PROP. 8" D.I. WATER MAIN
PROP. 8" PVC SANITARY SEWER
PROP. 8" D.I. WATER MAIN
PROP. 16" D.I. WATER MAIN
PROP. 16" D.I. WATER MAIN
PROP. 8" PVC SANITARY SEWER
PROP. 8

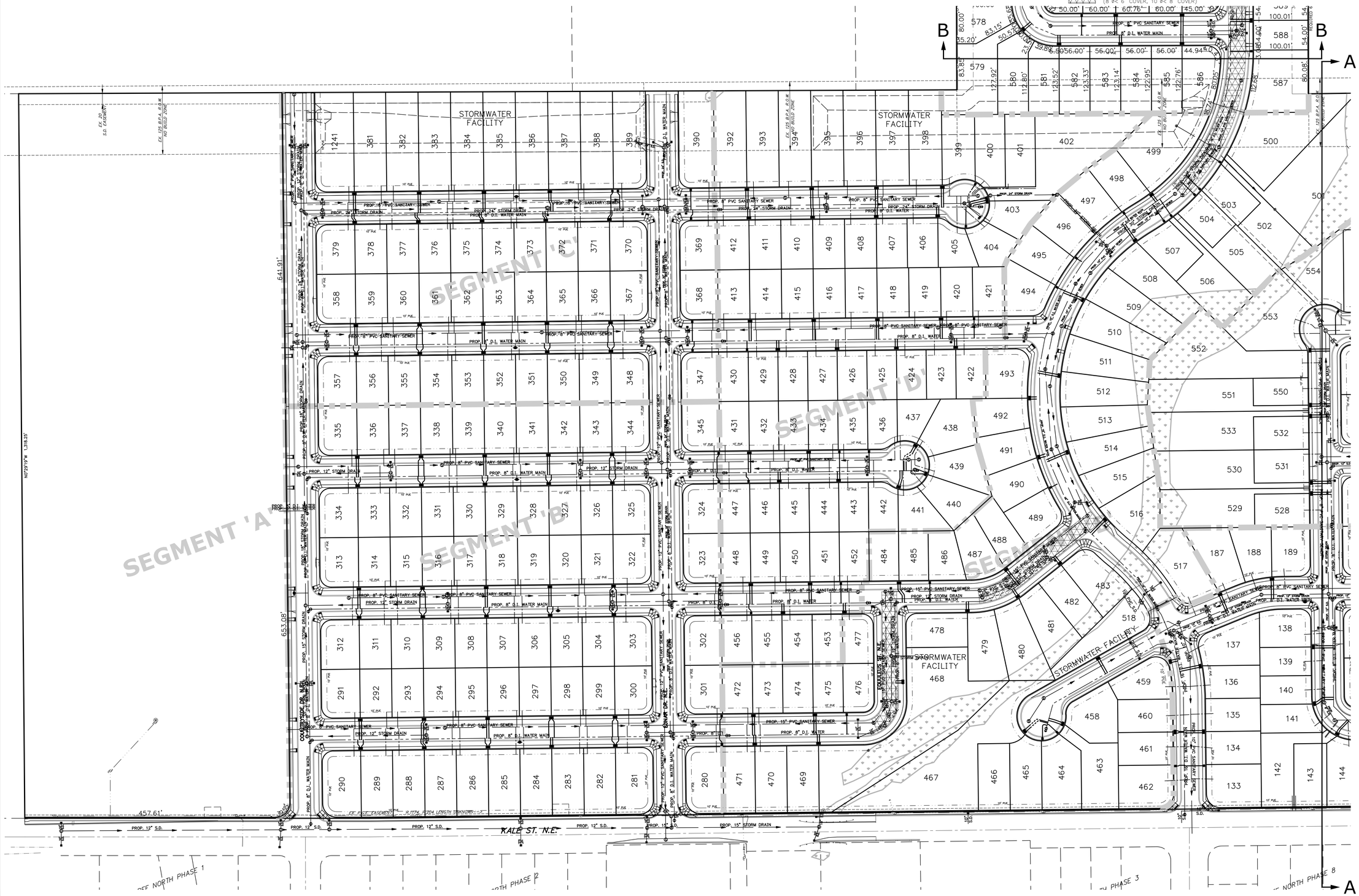
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 6 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARK D. GRENZ

EXPIRES: 06-30-2021

JOB # 6610

6 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg >\ES\6610_SubMod.dwg, 6 of 7, 8/21/2019 10:37:00 AM, CSpielman

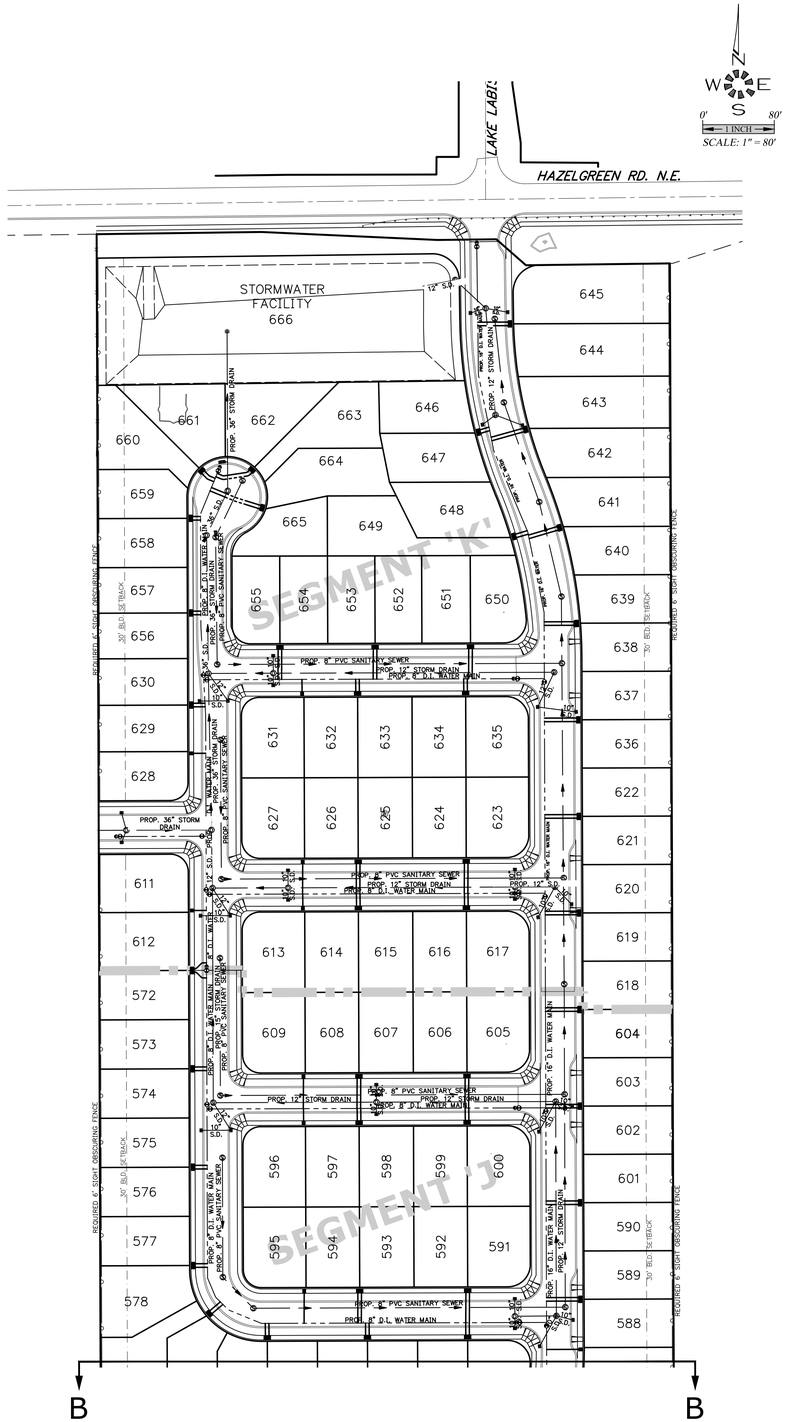
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS AND SPECIFICATIONS WITHOUT AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610 Subdivision 7 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ---- ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2014
MARION D. GRENZ

EXPIRES: 06-30-2021

JOB # 6610

7 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg >\6\6610_SubMod.dwg, 7 of 7, 8/23/2019 10:37:06 AM, CSpielman

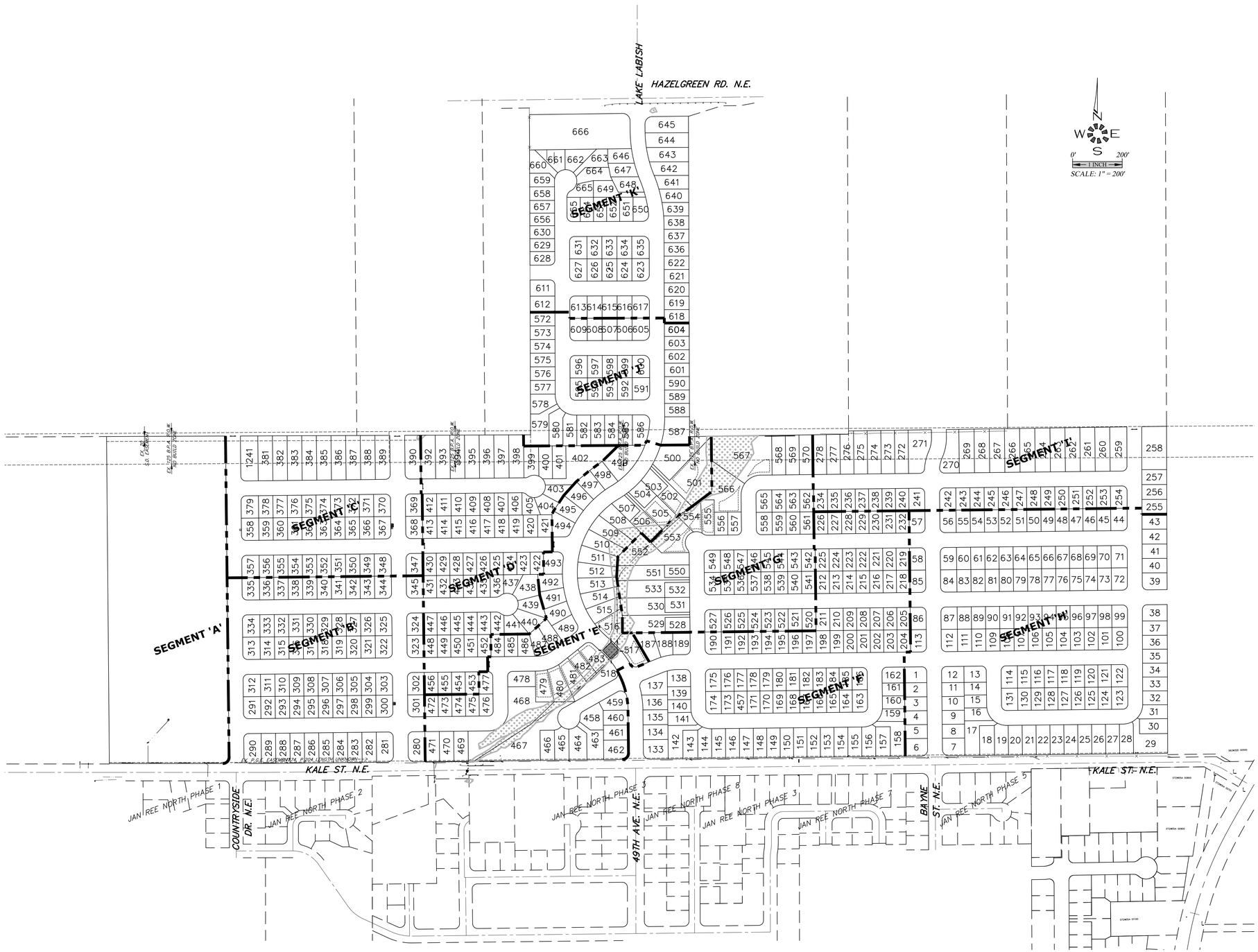
Owner / Developer:

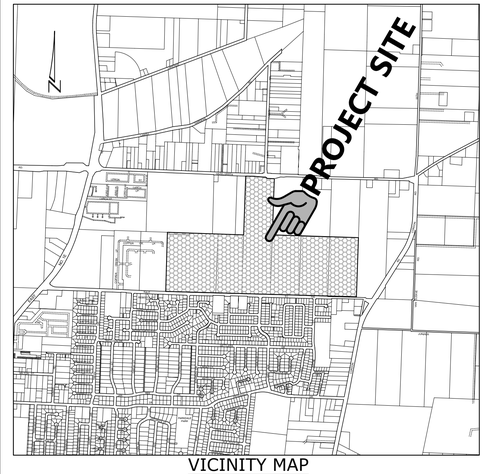
Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON





VICINITY MAP

NUMBER OF LOTS BY SEGMENT

SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	65	70
E	60	67
F	100	100
G	51	55
H	130	131
I	45	46
J	38	38
K	56	62
TOTALS	656	729
CHANGE	−73	

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

COVER SHEET

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS BY ANY OTHER PARTIES WITHOUT AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610.Subfeat 1 of 7.DWG

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAN. 9, 1979
MARION D. GRENZ
EXPIRES: 06-30-2019

JOB # 6610

1 of 7

J:\6600-6699\6610-Northstar\Dwg\6610_Subfeat.dwg, 1 of 7-COV, 8/14/2019 5:10:01 PM, CSpielman

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

BUILDABLE AREA	
LOT NO.	S.Q. F.T.
554	1666
555	4230
566	4362
567	2885

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 2 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

2 of 7

J:\6600-6699\6610-Northstar\Dwg\+R\6610_SubMod.dwg, 2 of 7, 8/14/2019 5:10:08 PM, CSjohnson

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

N
W E
S
0' 80'
1 INCH
SCALE: 1" = 80'

BUILDABLE AREA	
LOT NO.	S.Q. F.T.
479	4785
480	4365
481	3669
482	3032
483	2287
501	7309
502	3326
505	4778
506	2074
516	2433
517	3628
553	2155
554	1666

SEGMENT 'A'
SEGMENT 'B'
SEGMENT 'E'
STORMWATER FACILITY
STORMWATER FACILITY
STORMWATER FACILITY
KALE ST. N.E.
NORTH PHASE 1
NORTH PHASE 2
NORTH PHASE 3
NORTH PHASE 8

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610 Subdiv 3 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2014
MARK D. GRENZ
EXPIRES: 06-30-2019

JOB # 6610

3 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg >\R\6610_SubMod.dwg, 3 of 7, 8/14/2019 5:10:15 PM, ClipVision

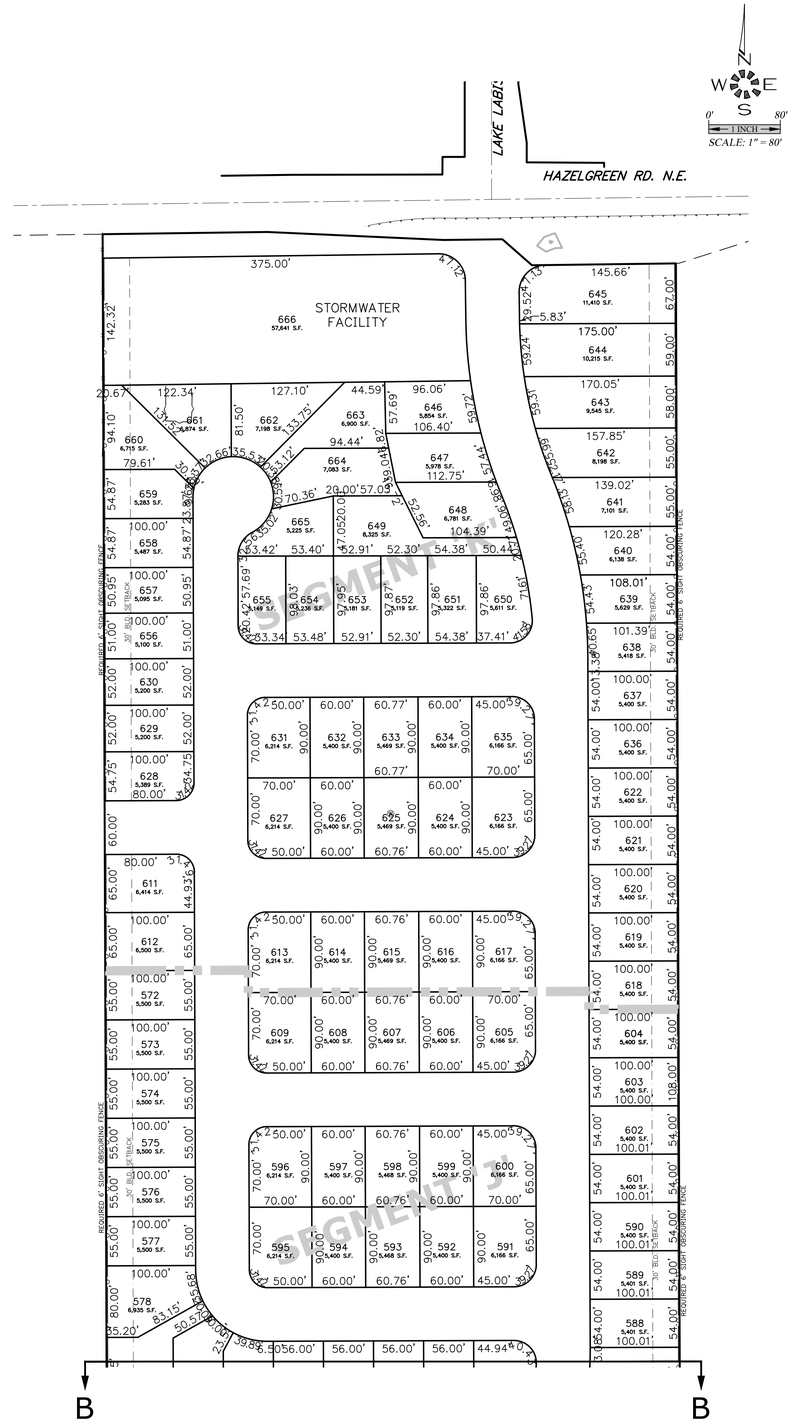
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



SEGMENT 1 of 1

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING SERVICES EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 4 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----- ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

4 of 7

J:\6600-6699\6610-Northstar\Dwg-18\6610_SubMod.dwg, 4 of 7, 8/14/2019 5:10:22 PM, CSpilmon

Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING SERVICES EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_SubMod 5 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARK D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

5 of 7

J:\6600-6699\6610-Northstar\Future\Dwg - F1B\6610_SubMod.dwg, 5 of 7, 8/14/2019 5:10:28 PM, CSpielman

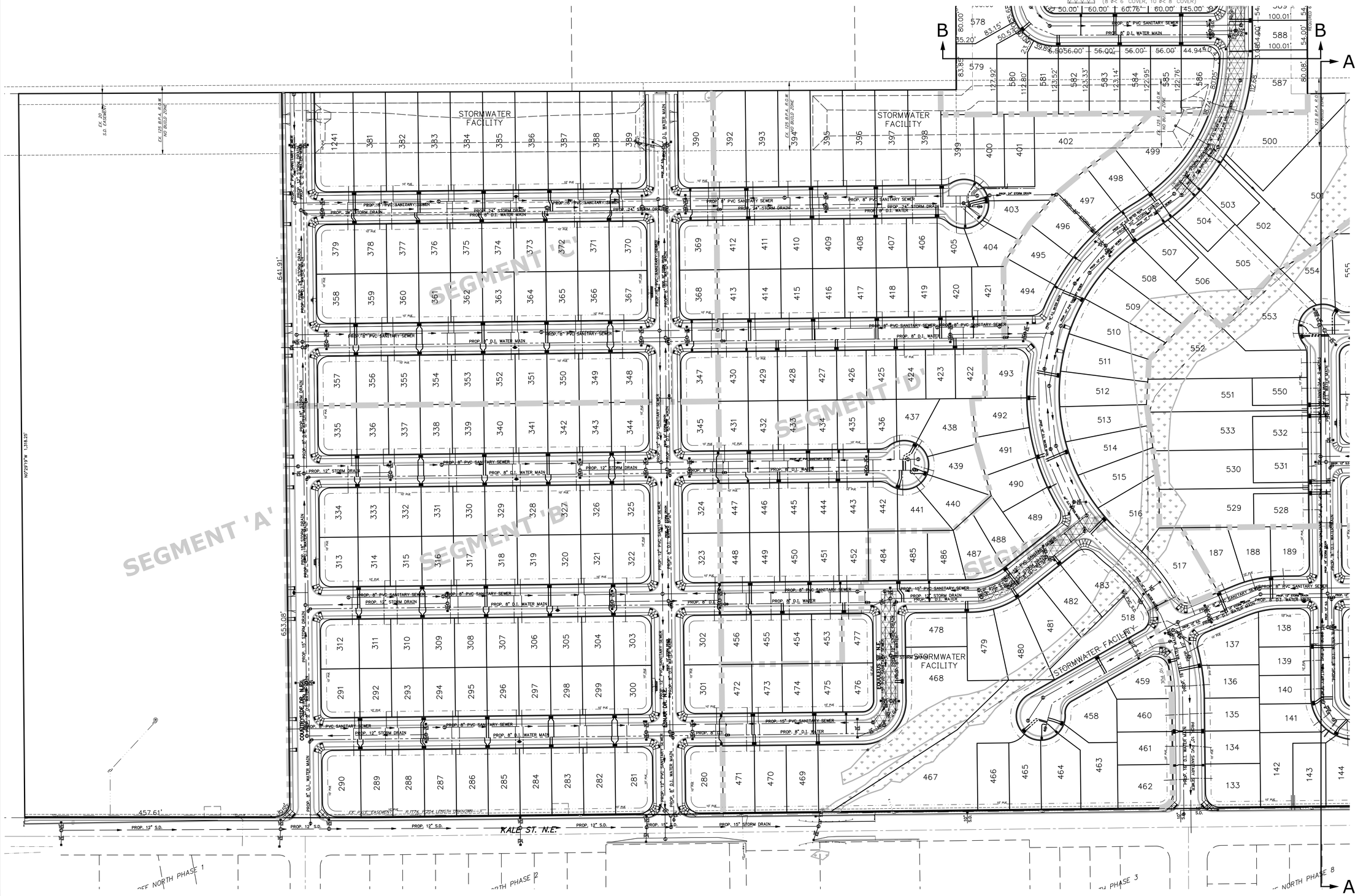
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610_Subdivd 6 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARION D. GRENZ

EXPIRES: 06-30-2019

JOB # 6610

6 of 7

J:\6600-6699\6610-NorthstarFuture\Dwg >\ES\6610_SubMod.dwg, 6 of 7, 8/14/2019 5:10:26 PM, CSpilmon

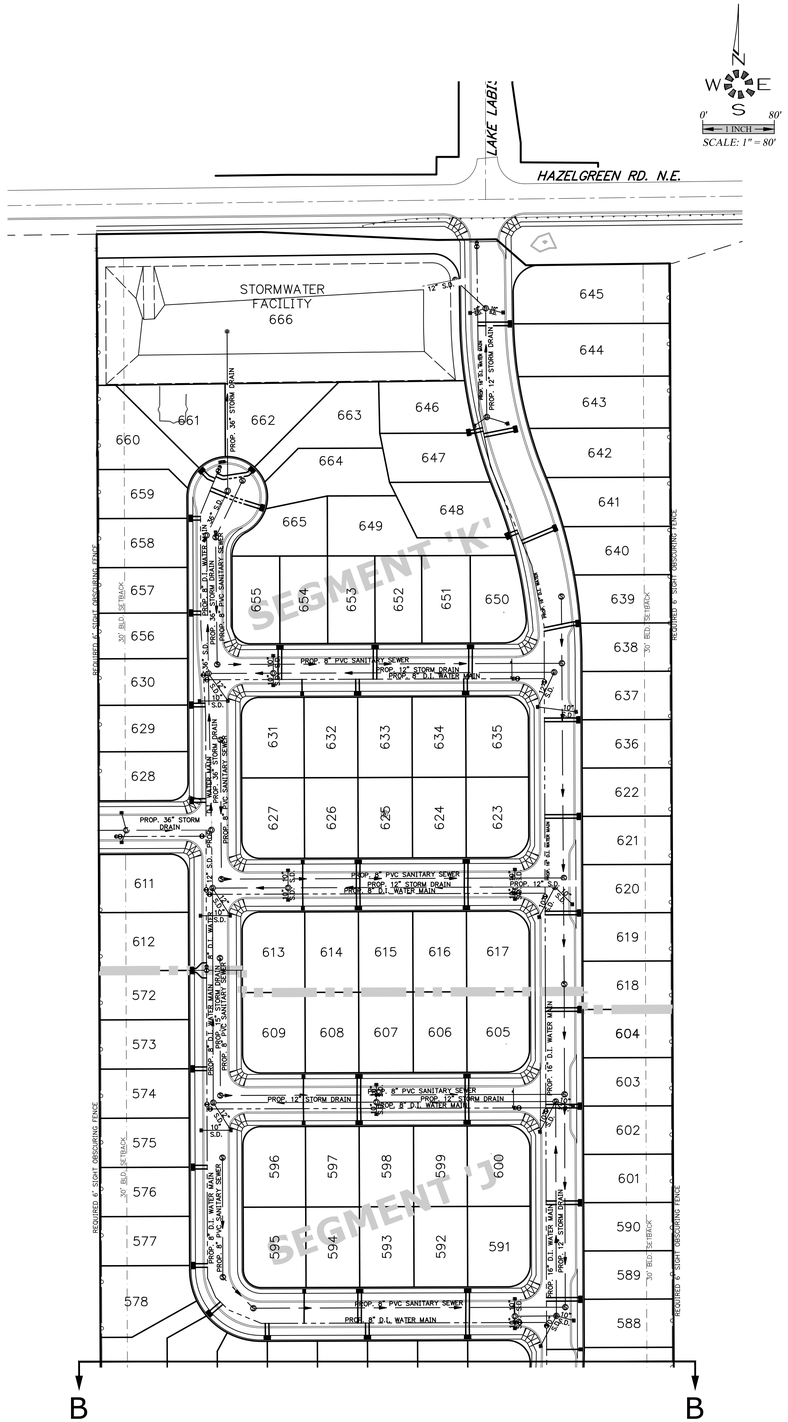
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6610.Subdiv2 7 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 14, 2015
MARION D. GRENZ
EXPIRES: 06-30-2019

JOB # 6610

7 of 7

J:\6600-6699\6610-NorthstarFutureUDeg 7 of 7, 8/14/2019 5:10:02 PM, CSpidmon